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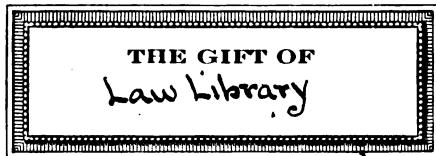
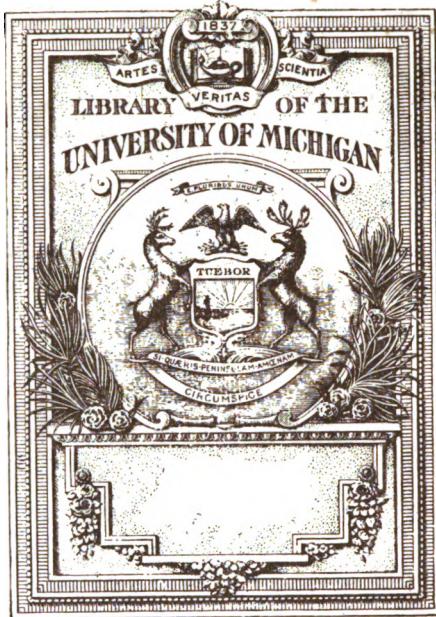
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REVISED CHARTER

—OF THE—

CITY OF YPSILANTI, Michigan Charter

APPROVED MAY 5, 1877,

As Amended by Act 400 of the Laws of 1881,

And by Local Laws of 1891 and 1897.

PRINTED BY AUTHORITY OF THE COMMON COUNCIL OF
THE CITY OF YPSILANTI.

1898.

YPSILANTI:
THE YPSILANTIAN PUBLISHING HOUSE.
1898.

01-25-2234

CHARTER —OF THE— CITY OF YPSILANTI.

INCORPORATION—CITY AND WARD BOUNDARIES.

Section 2. *The People of the State of Michigan enact,* That boundaries so much of the township of Ypsilanti, in the county of Washtenaw, as is included in the following description, to wit: beginning on the north bank of the Huron river, on the line between sections four and five, in said township, thence south to the northeast corner of lot number eight of the subdivision of said section five; thence west to the northwest corner of lot number six, in said subdivision; thence south to the center of the Ann Arbor road; thence north 80 degrees 10 minutes west along the center of said Ann Arbor road thirty chains and twenty-five links; thence south 39 degrees 50 minutes west along the center of what is known as the South Ann Arbor road eleven chains and forty-one links; thence south 18 degrees 10 minutes east thirty-six chains and five links to the center of the highway leading westerly from the west end of Congress street; thence south 66 degrees 20 minutes west along the center of said highway two chains to the northeast corner of Ed Crane's land; thence south 18 degrees 10 minutes east along the east line of said Crane's land extended to the center of the Chicago road; thence easterly along the center of the Chicago road to the present city limits; thence

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CHARTER

south to the south line of the William Watling farm; thence in a northeasterly direction along the south line of said Watling farm to the center of the Monroe road; thence northerly along the center of the Monroe road to the south limits of the city as now located; thence east to the Huron river; thence down the west bank of said river to the southeast corner of the west half of the northwest fractional quarter of section fifteen, in said township; thence north to the north line of the southwest quarter of section three, in said township; thence west to the east line of River street; thence northerly on the east line of said street to the north line of Highland Cemetery, protracted east; thence west to the northwest quarter of section four; thence south to the southeast corner of said quarter section; thence west to the north bank of the Huron river; thence up the said river to the place of beginning, be and the same is hereby set off from the said township of Ypsilanti, and declared to be a city by the name of "The City of Ypsilanti," by which name it shall hereafter be known.¹

Body corporate. Sec. 3. The freemen of said city, from time to time, being inhabitants thereof, shall be and continue a body corporate and politic to be known and distinguished by the name and title of The City of Ypsilanti, and shall be and are hereby made capable of suing and being sued, of pleading and being impleaded, of answering and being answered unto, and of defending and being defended in all courts of law and equity, and in all other places whatever; and may have a common seal which they may alter and change at pleasure, and by the same name shall be and are hereby made capable of purchasing, holding, conveying and disposing of any real or personal estate for said city.

Seal.
Wards.
First.
Second. Sec. 4. The said city shall be divided into five wards, to wit: the first ward shall embrace all that portion of said city lying west of the Huron river and south of the south line of Congress street, extending westerly to the west limits of said city. The second ward shall embrace all that portion of said city lying west of the Huron river and north of the south line of Congress street, extending westerly to the city limits and

1. As Amended by Act 110 of the Laws of 1891.

north to the center of the Ann Arbor road, and the north line of Ellis street projected easterly to the Huron river. The third ward shall embrace all that portion of said city lying west ^{Third.} of the Huron river and north of second ward. The fourth ^{Fourth.} ward shall embrace all that territory lying north of the north line of Cross street and east of the Huron river. The fifth ^{Fifth.} ward shall embrace all of that territory lying east of the Huron river and south of said fourth ward.¹

REGISTRATION.

Sec. 5. The aldermen of said city shall constitute the board ^{Board of registration.} of registration thereof.

Sec. 6. The board of registration, at their session previous ^{Re-registration.} to the general election in November, in the year one thousand eight hundred and eighty, shall make a re-registration of the qualified voters of their respective wards, in books of the form provided by law. The same rules shall be observed in such registration as are provided by law for registration in cities; and a like registration of the electors of each ward shall be made at the session of the board next preceding the general election in the year eighteen hundred and eighty-four, and every fourth year thereafter. When such new registry shall be ^{New registry.} made the former registry of electors shall not be used, nor shall any person vote at any election in such ward after such re-registration unless his name shall be registered in such new register. Notice that such re-registration is required to be made shall be given with the notice of the meeting or session of the board at which it is to be made.

ELECTIONS.

Sec. 7. The inhabitants of the said city, being electors un- ^{Qualification of} electors. under the constitution of the State of Michigan, and no other, are declared to be electors under this act, and qualified to vote at the elections held by virtue of this act; and each person offering to vote at any such election, if challenged by an elector ^{Challenge.} of the ward where such vote is offered, before his vote shall be

1. As Amended by Act 110 of the Laws of 1891.

~~Swearing falsely upon perjury.~~ received, shall take one of the oaths now provided by the laws of this State, approved June twenty-seventh, eighteen hundred and fifty-one, entitled an act to provide for holding general and special elections, which oath shall be administered to him by one of the inspectors of election; and if any person shall swear falsely, upon conviction thereof he shall be liable to the pains and penalties of perjury; but the common council of said city are hereby authorized and empowered to provide by general ordinance, from time to time, to so change the form of the oath or oaths to be administered to such elector (if challenged) as to conform to the constitution and laws of the State which may from time to time be in force.

Opening and closing polls.

Sec. 8. On the day of election held by virtue of this act, the polls shall be opened in each ward, at the several places designated by the common council, at eight o'clock in the morning, and shall be kept open without intermission or adjournment until four o'clock in the afternoon, at which hour they shall be finally closed.

Board of inspectors.

Sec. 9. The two aldermen of each ward shall constitute the board of inspectors of election, and such one of their number as they shall appoint shall be their chairman; said board shall also appoint two competent persons to be clerks of election; each of said persons so appointed shall take the constitutional oath of office, to be administered by either inspector of said board, who are hereby authorized to administer the same.

Inspectors of election for State officers, etc.

Sec. 10. Inspectors of election, as specified in the preceding section, shall be inspectors of election held in said wards respectively, as well for the election of State, district and county, as for the city and ward officers.

Provision for electing inspectors.

Sec. 11. At an election held under this act, if from any cause, either or all inspectors of election shall fail to attend any such election at the appointed time and place, his or their place may be supplied for the time being by the electors present, who shall elect any of their number *viva voce*, who when so elected, shall be duly sworn by an officer authorized to administer oaths, to a faithful performance of their duties.

Sec. 12. An election shall be held in each ward annually, Annual Ward election. on the first Monday in April, at such place as the common council shall appoint, by posting notices of the holding of said election in at least three of the most public places in each ward, at least six days previous to said election.

Sec. 13. There shall be elected annually, by the qualified officers elected electors of the whole city, voting in their own wards, one mayor, to hold his office for the term of one year. There shall also be elected annually, in the first, second and third wards (which wards shall constitute the first judicial district), one supervisor and one constable, to hold their respective offices for the term of one year; and also there shall be elected every fourth year one justice of the peace, to hold his office for the term of four years. There shall also be elected annually in the fourth and fifth wards, (which wards shall constitute the second judicial district), one supervisor and one constable to hold their respective offices for the term of one year; and there shall also be elected every fourth year, one justice of the peace, to hold his office for the term of four years. There shall also be elected annually, in each ward, by the electors thereof, one alderman, to hold their respective offices for the term of two years.

Sec. 14. The person receiving the greatest number of votes Greatest number of votes to for any office in said city, district or ward, shall be deemed elect. to have been duly elected to such office; and if any officer, Tie. except alderman and justice of the peace, shall not have been chosen by reason of two or more candidates having received an equal number of votes, the common council shall, by ballot, elect such officers from the two candidates having the highest number of votes.

Sec. 15. Whenever a vacancy occurs in the office of alderman or justice of the peace by the refusal or neglect on the part of such alderman or justice of the peace to take the oath of office within the time required by this act, by the resignation, death, ceasing to be an inhabitant of the ward or district for which such alderman or justice of the peace shall have been elected, by removal from office, or by the decision of a

Filling vacancy
in office of alder-
man or justice.

Proviso.

competent tribunal, declaring void the election of such alderman or justice of the peace, or for any other cause, the common council of said city shall immediately appoint a special election, to be held in the ward or district for which such officer was chosen, at some suitable place or places, not less than five nor more than fifteen days from the time of such appointment: *Provided*, That in case such vacancy shall occur in the office of alderman within three months before the first Monday in April, it shall be optional with the common council to order a special election or not.

Vacancies except alderman and justice.

Sec. 16. In case a vacancy shall occur in any of the offices in this act declared to be elective or appointive, except alderman and justice of the peace, the common council may, in their discretion, fill such vacancy by the appointment of a suitable person, who is an elector, and if appointed for a district or ward, who is also a resident of the ward or district for which he shall be appointed; and any officer appointed to fill vacancy, if the office is elective, shall hold by virtue of such appointment, only until the first Monday of May next succeeding.

Special elections.

Sec. 17. Whenever a special election is to be held, the common council shall cause to be delivered to the inspectors of election in the ward or district where such officer is to be chosen, a notice, signed by the clerk, specifying the officer to be chosen, and the day and place at which such election is to be held; and the proceedings at such elections shall be the same as at the annual or general election; such notice shall also be published in a newspaper of the city at least once before the day of such special election.

Vote to be by ballot.

Sec. 18. The electors shall vote by ballot, and each person offering to vote shall deliver his ballot, so folded as to conceal its contents, to one of the inspectors, in the presence of the board; the ballot shall be a paper ticket, which shall contain written or printed, or partly written and partly printed, the names of the persons for whom the elector intends to vote, and shall designate the office to which each person so named is intended by him to be chosen; but no ballot shall contain a

greater number of names of persons, designated for any office, than there are persons to be chosen at the election to fill such office.

Sec. 19. The ballot shall contain the names of persons ^{What ballot to} designated as officers for the city, and as officers for a district and ward.

Sec. 20. At all city elections every elector shall vote in the ^{Electors to vote in ward where they reside.} ward where he shall have resided ten days next preceding the day of election, otherwise he may vote in the ward from which he removed: *Provided*, He shall have resided in such ward ^{Proviso.} ten days next prior to such removal. The qualifications of electors under this act, shall be those prescribed by the constitution and laws of this State.

Sec. 21. If at any annual election to be held in said city, ^{Votes to fill vacancies to be designated on ballot.} there shall be one or more vacancies to be supplied in any office, and at the same time any person is to be elected for the full term of said office, the term for which each person voted for, for the said office, shall be designated on the ballot.

Sec. 22. It shall be the duty of the inspectors of election, ^{How votes received by inspectors.} on receiving the vote as specified in section eighteen, to cause the same, without being opened or inspected, to be deposited in the proper box provided by the common council for that purpose; the said board shall also write down or cause to be written down, the name of each elector voting at such election, in a poll list to be kept by said inspectors of election, or under their direction.

Sec. 23. Immediately after the closing of the polls, the ^{Canvass of votes.} inspectors of election shall, without adjournment, publicly canvass the votes received by them, and declare the result; and shall on the same or on the next day make a certificate stating the number of votes given for each person for each office, and shall file such statement and certificate on the day of election, or on the next day, with the clerk of the city.

Sec. 24. The manner of canvassing said votes shall be as ^{Manner of canvassing.} follows: the inspectors shall proceed to count the ballots, unopened, and if the number of ballots so counted shall exceed

the number of names of electors contained in the poll list, one of the inspectors shall draw out and destroy as many as the number of ballots exceeds the number of electors contained in said poll list; and if two or more ballots are found rolled or folded up together, they shall not be counted; they shall then proceed to count and estimate said votes as provided in the preceding section.

Expenses of election.

Sec. 25. The expenses of any election to be held as provided by this act, shall be a city charge, and defrayed in the same manner as the other contingent expenses of the city.

Council to determine and certify what persons elected.

Sec. 26. The common council for the preceding year shall convene on the Thursday next succeeding each annual election, at two o'clock in the afternoon, at their usual place of meeting, and shall determine and certify in the manner provided by law, what persons are duly elected at the said election to the several offices respectively. Such certificates shall be made in duplicate, one of which shall be filed with the clerk of the city, and the other with the clerk of the county of Washington.

APPOINTMENT, QUALIFICATION, OATH, BOND OF OFFICE.

Officers appointed.

Sec. 27. The following officers shall be appointed by the mayor, at a meeting to be held on the first Monday in May of each year, viz: One city marshal, five special deputy marshals (one from each ward), one health physician, one fire warden for each judicial district, one pound master for each judicial district. The mayor shall also on the first Monday in May, 1891, appoint, subject to the approval of a majority of the members-elect of the common council, three commissioners of public works, two of whom shall be residents of the first judicial district, one a resident of the second judicial district, one to hold office for the term of one year, one for the term of two years, and one for the term of three years. There shall also be appointed in the same manner annually thereafter one commissioner of public works, to hold his office for the term of three years, but at no time shall more than one of said

commissioners be residents of the second judicial district or more than two residents of the first judicial district. The mayor may also appoint, when he deems it necessary, special policemen to act until the next regular meeting of the common council. The common council shall appoint on the first Monday in May in each year, one city clerk, one city treasurer, one city attorney, one street commissioner, one city surveyor, one chief of the fire department, and also one deputy city clerk on the recommendation of the city clerk and one deputy city marshal on the recommendation of the city marshal. The common council shall also at the same time elect one of their number president of the council, who shall in the absence of the mayor preside at all meetings, and in the absence of the mayor from the city, shall act as and have the powers of the mayor. The appointments made by the mayor except commissioners of public works shall be absolute, the mayor to be responsible therefor, and the power is hereby granted him to remove his own appointees at his pleasure and to appoint others in their places, the mayor to report all removals or appointments by him made, at the first regular meeting of the common council thereafter. The common council may also, from time to time, provide by ordinance for the appointment and appoint for such term as may be provided in any such ordinance, such other officers whose election or appointment is not herein specially provided for, as the common council shall deem necessary for the execution of the powers granted in this act, and may remove the same at pleasure. The powers and duties of all such officers shall be prescribed by ordinance. Any appointment which shall not be made on the day named may be made at any subsequent regular or special meeting of the common council.¹

Sec. 28. No person shall be elected or appointed to any office unless he be an elector of the city, and if elected, or appointed for a ward or district, he must be an elector thereof; and no person shall be elected or appointed to any office in the city, who has been or is a defaulter to the city, or to any board of officers thereof, or to any school district, county or Officers to be electors. Defaulters not to hold office.

1. As Amended by Act 110 of the Laws of 1891.

municipal corporation of the State. *All votes for, or any appointment of, any such defaulter, shall be void.*

Acceptance of office.

Sec. 29. Every person chosen or appointed by the common council, before he enters upon the duties of his office, and within five days after being notified of his appointment, shall cause to be filed in the office of the city clerk a notice in writing, signifying his acceptance of such office.

City Clerk to notify officers elected.

Sec. 30. It shall be the duty of the city clerk, as soon as practicable, and within five days after their election, to notify the officers respectively of their election.

What deemed a refusal to serve.

Sec. 31. If any person elected or appointed under this act shall not take and subscribe the oath of office and file the same as herein directed, or shall not cause a notice of acceptance to be filed as herein directed, or if required by the common council to execute an official bond or undertaking shall neglect to execute and file the same, in the same manner and within the time prescribed by the common council, such neglect shall be deemed a refusal to serve, unless before any step is taken to fill any such office by another incumbent, such oath shall be taken or such acceptance be signified as aforesaid.

Clerk to deliver to council a list of officers.

Sec. 32. At the expiration of twenty days after any election or appointment of any officer or officers in the city, the clerk of the said city shall deliver to the common council a list of the persons elected or appointed, and of the offices to which they are chosen, therein specifying such as shall have filed with him the oath of office or notice of acceptance required by this act, and such as shall have omitted to file the same within the time herein prescribed.

List of officers neglecting to give bond.

Sec. 33. The clerk shall report to the common council the names of such officers as shall have neglected to give the bond and security required by the provisions of this act.

When officers enter upon duties of office.

Sec. 34. All officers elected as herein provided shall enter upon the duties of their respective offices on the first Monday of May next following such election, unless otherwise herein

provided. The supervisors of said city shall enter upon the duties of their office immediately after election, and upon filing their oath of office with the city clerk.

Sec. 35. Any person elected or appointed to any office under this act shall continue to hold the same until his successor shall be elected or appointed and qualified; and when a person is elected to fill a vacancy in any elective office, he shall hold the same only during the unexpired portion of the regular term limited to such office, and until his successor shall be elected and qualified. Term of office.

Sec. 36. Resignations by any officers authorized to be chosen or appointed by this act shall be made to the common council, subject to their approval. Resignations.

Sec. 37. Justices of the peace elected in said city shall take and file an oath of office with the county clerk of the county of Washtenaw, within the same time and in the same manner as in cases of justices of the peace elected in townships. Justices of the Peace, oath of office.

Sec. 38. Every justice of the peace, within the time limited for filing his official oath, shall file with the county clerk of said county the security for the performance of the duties of his office required by law in the case of justices of the peace elected in townships, except that said official bond or security may be executed in presence of, and be approved by the mayor; and in case he shall enter upon the execution of his office before having filed his official oath and bond or security, and such other bond or security to the city as may be required by law, or by any ordinance or resolution of the council, he shall be liable to the same penalties as are provided in cases of justices of the peace elected in townships. Security.

Sec. 39. The council, or the mayor, or other officer whose duty it shall be to judge of the sufficiency of the proposed securities of any officer or person of whom a bond or any security may be required by this act, or by any ordinance or direction of the council, shall inquire into the sufficiency of such securities, and examine them under oath as to their property, such oath

may be administered by the mayor, or any alderman, or any other person authorized to administer oaths. The examination of any such surety shall be reduced to writing, and signed by him, and annexed to and filed with the bond or instrument to which it relates.

New official bonds.

Sec. 40. The council may also at any time require any officer, whether elected or appointed, to execute and file with the mayor new official bonds in the same or in such further sums, and with new or such further sureties as said council may deem requisite for the interest of the corporation. Any failure to comply with such requirement shall subject the officer to immediate removal by the council.

DUTIES OF OFFICERS.

Mayor, duties of

Sec. 41. The mayor shall be the chief executive of the city. He shall, from time to time, give the council information concerning the affairs of the corporation, and recommend such measures as he may deem expedient. It shall be his duty to exercise supervision over the several departments of the city government, see that the laws of the State, and the laws relating to the city, and the ordinances and regulations of the council, are enforced. In case of a tie in the council the mayor may cast the deciding vote, except in appointments of officers hereby delegated to the common council.¹

Idem.

Sec. 42. The mayor shall be a conservator of the peace, and may exercise within the city the powers conferred upon sheriffs to suppress disorder; and shall have authority to command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the council, and to suppress riots and disorderly conduct.

ALDERMEN.

Who to preside
at meetings of
council.

Sec. 43. The mayor, when present, shall preside at the meetings of the common council, and in his absence, the president of the council shall preside.²

1. As Amended by Act 110 of the Laws of 1891.
2. As Amended by Act 110 of the Laws of 1891.

Sec. 44. The aldermen of the city shall be members of the council and attend the meetings thereof, and act upon committees when thereunto appointed. As conservators of the peace, they shall aid in maintaining quiet and good order in the city, and in securing the faithful performance of duty by all officers of the city. No alderman shall be appointed to any other office in the city during the term for which he was elected as alderman.

CITY CLERK.

Sec. 45. The city clerk shall keep the corporate seal, and all the documents, official bonds, papers, files, and records of the city, not by this act or the ordinance of the city entrusted to some other officer; he shall be clerk of the council; shall attend its meetings, record its proceedings, ordinances and resolutions, and shall countersign and register all licenses granted; he shall, when required, make and certify, under the seal of the city, copies of the papers and records filed and kept in his office; and such copies shall be evidence in all places of the matter contained, to the same extent as the original would be; he shall possess and exercise the powers of township clerk so far as the same are required to be performed within the city; and he shall have authority to administer oaths and affirmations. He shall be clerk of the commissioners of public works, unless objected to by a majority vote of the commissioners.¹

Sec. 46. The city clerk shall be the general accountant of the city, and all claims against the corporation shall be filed with him. He shall report the same, with all accompanying vouchers and counter claims of the city, to the council, for allowance, and when allowed shall draw his warrant upon the treasury for the payment thereof, designating thereon the fund from which payment is to be made, and to take proper receipts therefor; but no warrant shall be valid until countersigned by the mayor, nor be drawn upon any fund after the same has been exhausted. When any tax or money shall be levied, raised or appropriated, the city clerk shall report the amount thereof.

1. As Amended by Act 110 of the Laws of 1891.

to the city treasurer, stating the objects and funds for which it is levied, raised or appropriated, and the amounts thereof to be credited to each fund.¹

To have general supervision over city revenue and property of city.

Sec. 47. The city clerk shall exercise a general supervision over all officers charged in any manner with the receipt, collection and disbursment of the city revenues, and over all the property and assets of the city; he shall have charge of all books, vouchers and documents relating to the accounts, contracts, debts and revenues of the corporation; he shall countersign and register all bonds issued, and keep a list of all property and effects belonging to the city, and of all its debts and liabilities; he shall keep a complete set of books, exhibiting the financial condition of the corporation in all its departments, funds, resources and liabilities, with a proper classification thereof, showing the purpose for which each fund was raised; he shall also keep an account with the treasurer, in which he shall charge him with all moneys received from each of the several funds of the city, and credit him with all the warrants drawn thereon, keeping a separate account with each fund; when any fund has been exhausted, the city clerk shall immediately advise the council thereof.

Keep an account with treasurer.

Monthly statement.

Sec. 48. The city clerk shall report to the council on the first Monday of each month, a statement showing the condition of all the funds of the city, and whenever required, a detailed statement of the receipts, expenditures, and financial condition of the city, of the debts to be paid, and the moneys required to meet the estimated expenses of the corporation, and shall perform such other duties pertaining to his office as the council may require.

Account on oath for money received.

Sec. 49. The city clerk shall account on oath to the council, at the first meeting in each month for all moneys [received] by him belonging to the city, and shall make such disposition thereof as the council shall by resolution direct.

CITY TREASURER.

Treasurer's bond.

Sec. 50. The treasurer shall, before entering upon the duties of his office, file with the city clerk his bond, condi-

1. As Amended by Act 400 of the Laws of 1881.

tioned for the faithful performance of his duties as treasurer, in such amount, with such sureties as the common council shall require and approve; and such treasurer shall give to the treasurer of the county of Washtenaw such other security as is or may hereafter be required by law of the township treasurers of the several townships of this State; and for the purposes of the return of all such taxes, and the return of property delinquent for the non-payment of taxes, the treasurer shall possess all the powers and perform all the duties of the several township treasurers of this State, as prescribed by law: *Pro-
vided, however,* That the marshal of said city may make the oath required by law respecting the return and non-payment of delinquent taxes to the county treasurer.

Sec. 51. The treasurer shall perform all such duties in relation to the collection of taxes as the council may prescribe. He shall have the custody of all moneys, bonds, mortgages, notes, leases, and evidences of value belonging to the city. He shall receive all moneys belonging to and receivable by the corporation, and keep an account of all receipts and expenditures thereof. He shall pay no money out of the treasury except in pursuance of and by authority of law, and upon warrants signed by the city clerk and countersigned by the mayor, which shall specify the purpose for which the amounts thereof are to be paid. He shall cancel such warrants, when paid, by legibly writing across the face thereof, the word "paid," and enter in a book to be kept by him, the number, date, amount, and time of payment of each warrant. He shall keep an account of and be charged with all taxes and moneys appropriated, raised or received for each fund of the corporation, and shall keep a separate account of each fund, and shall credit thereto all moneys raised, paid in, or appropriated therefor, and shall pay every warrant out of the particular fund constituted or raised for the purpose for which the warrant was issued, and having the name of such fund indorsed thereon by the city clerk.

Sec. 52. The treasurer shall render to the council on the ~~Monthly report.~~ first Monday of every month, and oftener if required, a report of the amounts received and credited by him to each fund, and

Annual report. on what account received, and the amounts paid out by him from each fund during the preceding month, and the amount of money remaining in each fund on the day of his report, and at the time of rendering such report shall exhibit to the city clerk vouchers for all money so paid out during such preceding month. He shall also exhibit to the council annually, on the third Monday in April, and as often and for such period as the council shall require, a full and detailed account of the receipts and disbursements of the treasury since the date of his last annual report, classifying them therein by the funds to which such receipts are credited, and out of which such disbursements are made, and the balance remaining in each fund, which account shall be filed in the office of the city clerk, and shall be published in one of the newspapers of the city.

To keep city moneys separate from his own money.

Penalty.

Sec. 53. The treasurer shall keep all moneys in his hands belonging to the city separate and distinct from his own moneys; and he is hereby prohibited from using, either directly or indirectly, the corporation moneys, warrants, or evidences of debt in his custody or keeping, for his own use or benefit, or that of any other person. Any violation of this section shall subject him to immediate removal from office by the city council, who are hereby authorized to declare the office vacant, and to appoint his successor for the remainder of his term.

CITY MARSHAL.

Marshal's security.

Duties.

Sec. 54. The city marshal shall, before entering upon the discharge of the duties of his office, give such security for the faithful performance of his duties as the common council shall direct and require, and he shall be the chief of police; and it shall be his duty to serve all processes that may be delivered to him to serve, to see that all the laws and ordinances of the common council are promptly and efficiently enforced; he shall obey all the lawful orders of the mayor, and may command the aid and assistance of all constables of the city in the discharge of the duties imposed upon him by law; and the marshal shall have the same power to serve and execute process in behalf of said city, as sheriffs have by law to execute

similar process. And the city marshal shall collect all city taxes remaining unpaid on the first day of August, and all State, county, and school taxes, and all other taxes and assessments remaining unpaid after the first day of January, and to perform such duties as by this act or by the ordinances or resolutions of the common council shall be required, and shall have the same power in criminal matters as the several constables in the county of Washtenaw.

Sec. 55. The city marshal shall be the chief of police, and he ^{Chief of Police.} and his deputies shall be subject to the orders of the mayor, and perform police duty when so ordered by him. The city marshal shall also act as city superintendent of the poor, and shall perform the same duties that the supervisors of town-^{Superintendent of Poor.}ships, under the general laws of the State, are required to perform in regard to the support of the poor, and the supervisors of said city are excepted from the general laws of the State relating to the support and maintainance of poor persons so far as the same relates to the support of poor persons having a settlement in said city. The common council may make such regulations as they shall deem expedient for the support and relief of poor persons residing in said city, and for that purpose may prescribe by ordinance the duties of the marshal relating to the same.¹

Sec. 56. The marshal is hereby invested with and shall possess all the powers and perform all the duties of the several township treasurers of this State, in enforcing the collection of all assessments on tax rolls placed in his hands for collection, remaining unpaid on said rolls when he shall receive the same. ^{Same powers and duties as township treasurers.}

Sec. 57. He shall suppress all riots, disturbance, and breaches of the peace, and for that purpose may command the aid of the citizens in the performance of such duty. He shall arrest all disorderly persons in the corporation, and pursue and arrest any person fleeing from justice in any part of the State. He shall arrest upon view, and with or without process, any person found in the act of committing any offence against the laws of the State, or the ordinances of the city, and forth-

1. As Amended by Act 110 of the Laws of 1891.

with take such person before the proper magistrate or court for examination or trial, and shall arrest and imprison persons found drunk in the streets, or other public places, until they shall become sober.

Monthly report Sec. 58. He shall report in writing, and on oath, to the council, at their first meeting in each month, all arrests made by him, and the cause thereof, and all persons discharged from arrest during the month, and the amount of all fines and fees collected by him. All moneys collected or received by him shall be paid into the city treasury, within two days after the same shall have been received, and the treasurer's receipt therefor shall be filed with the city clerk.

CITY ATTORNEY.

Legal adviser and attorney for council, etc. Sec. 59. The city attorney, in addition to other duties prescribed in this act, shall be the legal adviser of the council and of all the officers of the city, and shall act as the attorney and solicitor of the corporation in all legal proceedings in which the corporation is interested; he shall prosecute for offences against the ordinances of the city, and shall attend the meetings of the common council when required.

SUPERVISORS.

To perform same duties as supervisors of townships.

Warrant to marshal.

List of jurors.

Sec. 60. The supervisors for each judicial district are hereby authorized and required to perform the same duties in their respective districts that the supervisors of townships, under the general laws of this State, are required to perform in relation to the assessing of property and levying of taxes for State, county, and school purposes, and they shall also issue their warrant to the marshal of the city for the collection of such taxes in the same manner as the supervisors of townships issue warrants to the treasurers of townships for the collection thereof; they shall also represent their several districts in the board of supervisors of the County of Washtenaw, and shall be entitled to all the rights, privileged, and powers as the members of said board of supervisors. They shall select and return lists

of grand and petit jurors to the clerk of the county, in the same manner and within the same time as the like duty is required to be performed by township officers.

COMMISSIONERS OF PUBLIC WORKS.

Sec. 61. The commissioners of public works, under the ^{Duties.} general direction of the common council, shall have charge of the waterworks, electric lights, parks, and such other public property as may be put in their charge by the common council. They shall superintend the running of the waterworks and electric light, shall employ and superintend all help necessary to run the same; said commissioners shall have the supervision of collecting all water rates, and shall deposit all moneys collected by them with the city treasurer at least once each week, and take his receipt therefor, and the clerk of said commissioners shall file a report, in writing, under oath, on the first of each month, with the common council, showing the amount of money collected during the preceding month, with the treasurer's receipt for the same thereto attached; they shall keep all public property under their control in good repair, and report to the common council on the first and third Mondays of each month, in writing, giving an exact statement of all labor performed by them or under their supervision, and the charges therefor, the amount of material used and the expense thereof, and the place where such material was used or labor performed, and farther showing the items and purposes of all expenses incurred since their last preceding report; and no payment for material furnished, services performed, or for expenses incurred, shall be made until reported as aforesaid, and ordered paid by the common council. Said commissioners shall perform all other duties that may be required of them by ordinance or resolution of the common council.¹

STREET COMMISSIONER.

Sec. 62. The street commissioner shall, under the general ^{Duties.} direction of the common council and the senior alderman for each ward, superintend all work to be done or performed, or-

1. As Amended by Act 110 of the Laws of 1891.

dered or required to be done or performed, upon or in relation to any of the public streets, walks, bridges, or public pounds, and shall perform such other duties as may be required by ordinance or request of the common council. He shall make a report to the council, in writing, and on oath, twice in each month, giving an exact statement of all labor performed by him or under his supervision, and the charges therefor, the amount of material used and the expense thereof, and the streets or places where such material was used or labor performed, and further showing the items and purposes of all expenses incurred since his last preceding report; and no payment for labor or services performed, or for expenses incurred by him, shall be made until reported on oath as aforesaid, and ordered paid by the common council.¹

JUSTICES OF THE PEACE.

Same jurisdiction and powers as are given to justice by general laws.

Proviso.

When exclusive jurisdiction.

Sec. 63. The justices of the peace elected in said city under the provisions of this act shall have and exercise therein and within the county the same jurisdiction and powers in all civil and criminal matters, causes, suits, and proceedings, and shall perform the same duties in all respects, so far as occasion may require, as are or may be conferred upon or required of justices of the peace by the general laws of the State: *Provided*, That all actions within the jurisdiction of justices of the peace may be commenced and prosecuted in said justices' courts whenever the plaintiffs or defendants, or one of the plaintiffs or defendants, reside in either the said city or in the townships of Ypsilanti, Augusta, Pittsfield, Salem, Superior, Saline, and York, in said county; they shall have exclusive jurisdiction, except in cases where jurisdiction is given by this act to some other court, and within the limits prescribed by law to hear, try, and determine all actions and prosecutions for the recovery or enforcing of fines, penalties and forfeitures for violations of this act or any law of this State within the city of Ypsilanti, and for encroachments upon, and injuries to, any of the streets, alleys, and public grounds within the city. They shall have authority to hear, try and determine all suits and prosecutions

1. As Amended by Act 110 of the Laws of 1891.

for the recovery or enforcing of fines, penalties, forfeitures imposed by the ordinances of the city, and to punish offenders for violations of such ordinance, as in the ordinances prescribed and directed, subject only to the limitations prescribed in section ninety-eight of this act.

Sec. 64. The proceedings in all suits, actions, and prosecutions before said justices, and in the exercise of the powers and duties conferred upon and required of them, shall, except as otherwise provided in this act, be according to, and governed by, the general laws applicable to courts of justices of the peace, and to the proceedings before such officers.

Sec. 65. Every justice of the peace shall enter in the docket kept by him the title of all suits and prosecutions commenced or prosecuted before him for violation of the ordinances of the city, and all the proceedings, and the judgment rendered in every such cause, and the items of all costs taxed or allowed therein; and also the amounts and date of payment of all fines, penalties, and forfeitures, moneys and costs received by him on account of any such suit or proceeding. Such docket shall be submitted by the justice at all times to the examination of any person desiring to examine the same, and shall be produced by the justice to the council whenever required.

Sec. 66. All fines, penalties, and forfeitures collected or received by any justice of the peace for or on account of violations of the penal laws of the State, and all fines, penalties, forfeitures, and moneys collected or received by such justice, for or on account of violations of any ordinances of the city, shall be paid over by such justice to the city treasurer on or before the first Monday of the month next after the collection or receipt thereof. And the justice shall take the receipt of the city treasurer therefor and file the same with the city clerk.

Sec. 67. Every such justice shall report, on oath, to the council, at the first regular meeting thereof in each month, the name of every person against whom a prosecution has been commenced, or judgment rendered for any of the fines, penalties, or forfeitures mentioned in the preceding section, and the amount of all moneys received by him on account thereof, or

Proceedings
same as pre-
scribed by law
for justices of
the peace.

When fines,etc.,
to be paid to
treasurer.

on account of any such suit or prosecution, and the amount thereof paid to the city treasurer since the last preceding report.

Fines for
violation of
penal laws.

Sec. 68. All fines recovered for the violation of the penal laws of the State, when collected and paid into the county treasury, shall be disposed of as provided by law. The expenses of prosecutions before justices of the peace of the city for violations of said criminal laws, and in punishing the offenders, shall be paid by the county of Washtenaw.

Bond.

Sec. 69. Each justice of the peace, in addition to any other security required by law to be given for the performance of his official duties, shall, before entering upon the duties of his office, give a bond to the city in the penal sum of one thousand dollars, with sufficient sureties to be approved by the mayor, which approval shall be endorsed upon the bond, conditioned for the faithful performance of the duties of justice of the peace within and for the city.

Penalty for
misconduct in
office.

Sec. 70. Any justice of the peace who shall be guilty of misconduct in office, or who shall willfully neglect or refuse to perform or discharge any of the duties of his office required by this act or any of the ordinances of the city, shall be deemed guilty of a misdemeanor, and punishable accordingly, and upon conviction thereof by a court of competent jurisdiction, may be suspended from office by the council during its pleasure.

Account for
stolen property
seized.

Sec. 71. Every justice of the peace of the city shall account on oath to the council, at their meeting in each month, for all such moneys, goods, wares, and property seized as stolen property, as shall then remain unclaimed in his office, and shall make such disposition thereof as shall be prescribed by the ordinances of the city.

Appeals.

Sec. 72. Appeals from their judgments may be made to the circuit court for the county of Washtenaw, in the same manner as appeals from justices' judgments in townships are made, and in all cases of judgments rendered by a justice of the peace of the city, either party may remove such judgment by a writ

of certiorari into the circuit court for Washtenaw county, in the same manner as justices judgments in townships are removed.

CONSTABLES.

Sec. 73. The constables of the city shall have the like powers and authority in matters of civil and criminal nature, and in relation to the service of all manner of criminal process, as are conferred by law upon constables in townships, and shall receive the like fees for their services. They shall have power also to serve all process issued for breaches of the ordinances of the city. They shall obey all lawful orders of the mayor, aldermen and marshal, and of any court or justice of the peace exercising jurisdiction in causes for breaches of the ordinances of the city; and shall discharge all duties required of them by any ordinance, resolution, or regulation of the council; and for any neglect or refusal to perform any duty required of him, every constable shall be subject to a penalty of not less than five nor more than fifty dollars. Every constable, before entering upon the duties of his office, shall give such security for the performance of the duties of his office as is required of constables in townships, or as may be required by the council, and file the same with the city clerk.

Security.

GENERAL PROVISIONS.

Sec. 74. The health physician, fire wardens, common criers, compound masters, inspectors of firewood, and weigh masters, shall perform such duties, and shall file such securities as the common council shall by ordinance direct.

cil as to duties
of officers.

Sec. 75. In addition to the rights, duties, powers, and liabilities of officers prescribed in this act, all officers, whether elected or appointed, shall have such other rights, powers, duties and liabilities, subject to and consistent with this act, as the council shall deem expedient, and prescribe by ordinance or resolution.

General powers
duties and
liabilities of
officers.

Duties of
School inspec-
tors performed
by school board.

Sec. 76. The duties of school inspectors for said city shall be hereafter performed by the school board of district number four, and the secretary of said board shall make the annual report to the county clerk, in the same manner as the same is required to be made by township school inspectors.

COMPENSATION OF OFFICERS.

Supervisors.

Sec. 77. The supervisors, for their services in assessing the property and copying the tax rolls, and for extending the taxes thereon, shall receive such compensation as the common council shall annually determine within the following limitations: to the supervisor of the first judicial district, a sum not exceeding two hundred dollars per annum; to the supervisor of the second judicial district, a sum not exceeding one hundred and eighty dollars per annum. And for all other services performed by them, they shall receive the same compensation as is by law allowed supervisors of townships for the time actually employed.

Justice of the
peace, etc.

Justices of the peace and officers serving process and making arrests may, except as herein otherwise provided, when engaged in causes and proceedings for violations of ordinances of the city, charge and receive such fees as are allowed to those officers for like services by the general laws of the State. All other officers elected or appointed in the city shall, except as herein otherwise provided, receive such compensation as the council shall determine.¹

Of other officers
determined by
council.

Sec. 78. The salary or rate of compensation of any officers elected or appointed by authority of this act shall not be increased or diminished during his term of office, except by a three-fourths vote of all the aldermen elect, and no person who shall have resigned or vacated any office shall be eligible to the same office during the term for which he was elected or appointed, when during the same time the salary or rate of compensation has been increased.

Council to
annually deter-
mine salary of
officers.

Sec. 79. The common council shall annually determine the salary or compensation to be paid to the following named officers of said city within the limitations hereinafter prescribed,

1. As Amended by Act 400 of the Laws of 1881.

and which shall be as follows, viz.: To the mayor a sum not exceeding one dollar per annum; to the city clerk, in addition to his fees and perquisites prescribed by law, a sum not exceeding six hundred dollars per annum, which shall be in full for all services performed by him; to the city treasurer a sum not exceeding two hundred dollars per annum; to the city attorney a sum not exceeding two hundred dollars per annum; to the street commissioner a sum not exceeding four hundred dollars per annum; to the city marshal a sum not exceeding six hundred dollars per annum; to the health physician a sum not exceeding one hundred dollars per annum; to the chief of fire department a sum not exceeding one hundred dollars per annum. The compensation of each alderman is hereby fixed as follows: For services as inspector at any general or special election, the sum of two dollars per day; for services upon the city board of registration, the sum of two dollars per day; for services upon the board of review, the sum of two dollars per day; for services upon the board of health, the sum of twenty dollars per year; for all other duties as alderman, either under the provisions of the charter or under the State laws, the sum of one dollar per annum.¹

Compensation
of aldermen.

COMMON COUNCIL.

Sec. 80. The legislative authority of said city shall be vested in a common council consisting of the two aldermen from each ward, and the mayor.

Sec. 81. The city clerk shall be clerk of the council, but ^{Clerk.} shall have no vote therein. He shall keep a full record of all the proceedings of the council, and perform all such other duties relating to his office as the council may direct. In the absence of the city clerk the council shall appoint one of their number to perform the duties of his office for the time being.

Sec. 82. The aldermen, each of whom shall be entitled to ^{vote.} a vote in all the proceedings of the council, are required to attend at the meetings and sessions thereof, and to serve upon committees whenever appointed thereon.

1. As Amended by Act 110 of the Laws of 1891.

Meetings.

Sec. 83. The council shall hold regular stated meetings for the transaction of business, at such times and places within the city as it shall prescribe, not less than two of which shall be held in each month. The mayor may appoint special meetings thereof, notice of which, in writing, shall be given to each alderman, or be left at his place of residence, at least twelve hours before the meeting.

Quorum.

Sec. 84. All meetings and sessions of the council shall be in public. A majority of the aldermen shall make a quorum for the transaction of business; a less number may adjourn from time to time, and may compel the attendance of absent members in such a manner as shall be prescribed by ordinance. But no office shall be created or abolished, nor any tax or assessment be imposed, street or alley, or public ground be vacated, real estate or any interest be purchased, sold or disposed of, or private property be taken for public use, unless by ordinance or resolution of the common council, and a concurring vote of two-thirds of all the aldermen elect; nor shall any vote of the common council be reconsidered or rescinded at a special meeting, unless there be present as many aldermen as were present when such vote was taken. No money shall be appropriated except by ordinance or resolution of the council; nor shall any resolution be passed or adopted except by a vote of a majority of all the aldermen elected to office, except as herein otherwise provided.

Money, how appropriated.

Majority vote on resolutions, etc.

Manner of conducting business.

Publication of proceedings.

Power over its members and other city officers.

Sec. 85. The council shall prescribe the rules of its own proceedings, and keep a record or journal thereof. All votes shall be taken by yeas and nays when by the provisions of this act a two thirds vote is required, and also when called for by any member of the council, and be so entered upon the journal as to show the names of those voting in the affirmative, and those in the negative; and within one week after any meeting of the council, all the proceedings taken thereat shall be published in one of the newspapers of the city, unless the council otherwise direct.

Sec. 86. The council may compel the attendance of its members and other officers of the city at its meetings in such

manner, and may enforce such fines for non-attendance, as may by ordinance be prescribed; and may by ordinance prescribe punishment for any misbehavior, contemptuous or disorderly conduct, by any member or any person present at any session of the council.

Sec. 87. The city attorney, commissioners of public works, street commissioner, marshal, city surveyor, and engineer of the fire department, shall give opinions and information on all subjects relating to their respective departments when required. Said officers may be required to attend the meetings of the council in the same manner as members, but without the power to vote.¹ City officers to give information when required.

Sec. 88. The council shall have control of the finances, and of all the property, real and personal, of the city corporation, except as may be otherwise provided by law. Control of finances and property.

Sec. 89. Whenever by this act or any other provision of law, any power or authority is vested in, or duty imposed upon, the corporation or council, the council may enact such appropriate ordinances as may be necessary for the execution and exercise of such power and authority, and to regulate the performance of such duty. Execution of legal powers.

Sec. 90. The mayor may appoint standing committees of the council, who shall perform such duties, investigate, have charge of, and report upon such matters as may be properly referred to them. Standing committees.

Sec. 91. The council shall cause all the records of the corporation, and all proceedings of the council, and all books, documents, reports, contracts, receipts, vouchers, and papers relating to the finances and affairs of the city, or the official acts of any officer of the corporation, unless required by law to be kept elsewhere, to be deposited and kept in the office of the city clerk, and to be so arranged, filed and kept, as to be convenient of access and inspection, and all such records, books, and papers shall be subject to inspection by any inhabitant of Records, reports, receipts, etc., where deposited.

1. As Amended by Act 110 of the Laws of 1891.

Penalty for
injuring, etc.

the city or other person interested therein, at all reasonable times, except such parts thereof as, in the opinion of the council, it may be necessary for the furtherance of justice to withhold for the time being. Any person who shall secrete, injure, deface, alter, or destroy any such books, records, documents, or papers, or expose the same to loss or destruction, with intent to prevent the contents, or true meaning or import of any part thereof from being known, shall, upon conviction thereof, be punished by imprisonment in the State prison not longer than one year, or by fine not exceeding one thousand dollars or by both such fine and imprisonment, in the discretion of the court.

City officers
prohibited from
being interested
in contract.

Sec. 92. No member of the council, or any officer of the corporation, shall be interested, directly or indirectly, in the profits of any contract, job, work, or services, other than official services to be performed for the corporation. Any member of the council, or officer of said city herein specified, offending against the provisions of this section, shall, upon conviction thereof, be fined not less than five hundred nor more than one thousand dollars, or be imprisoned in the county jail not less than one nor more than six months, or both, in the discretion of the court, and shall forfeit his office.

Removal from
office.

Sec. 93. Any person appointed to office by the council by authority of this act, may be removed therefrom by a concurring vote of two-thirds of all the aldermen elect; and the council may expel any alderman, or remove from office any person elected thereto, by a concurring vote of two-thirds of the aldermen elect. In case of elective officers, provision shall be made by ordinance, for preferring charges and trying the same; and no removal of an elective officer shall be made unless a charge in writing is preferred, and an opportunity given to make a defense thereto: *Provided*, That the provisions of this section shall not apply to the mayor or justices of the peace.¹

Proviso.

Investigation of
charges against
officers.

Sec. 94. To enable the council to investigate charges against any officer or such other matter as they may deem proper to

1. As Amended by Act 110 of the Laws of 1891.

investigate, the mayor or any justice of the peace of the city is empowered, at the request of the council, to issue subpoenas or process of warrant, to compel the attendance of persons, and the production of books and papers, before the council, or any committee thereof.

Sec. 95. Whenever the council, or any committee of the members thereof, are authorized to compel the attendance of witnesses for the investigation of matters which may come before them, the mayor or chairman of such committee for the time being, shall have power to administer the necessary oath; and such council or committee shall have the same power to compel the witness to testify as is conferred on courts of justice of the peace.

Sec. 96. The council shall audit and allow accounts chargeable against the city, and when required by the common council, every account shall be accompanied by an affidavit of the person rendering it, to the effect that he verily believes that the services or property therein charged have been actually performed, or delivered to the city, that the sums charged therefor are reasonable and just, and that to the best of his knowledge and belief no set-off exists, nor payment has been made on account thereof, except such as are endorsed or referred to in such account or claim. And every account shall exhibit in detail all the items making up the amount claimed, and the true date of each. It shall be sufficient defense in any court, to any action or proceeding, for the collection of any demand or claim against the city, that it has never been presented to the council for allowance; or that the claim was presented without the affidavit aforesaid, and rejected for that reason; or that the action or proceeding was brought before the council had a reasonable time to investigate and pass upon it.

Auditing of
accounts and
claims against
city.

ORDINANCES AND RESOLUTIONS.

Sec. 97. The style of all the ordinances shall be, "The common council of the city of Ypsilanti ordain." All ordinances shall require for their passage, the concurrence of a majority

Style; vote on
passage and
time of taking
effect.

of all the aldermen elect. The time when any ordinance shall take effect shall be prescribed therein. Such time, when the ordinance imposes a penalty, shall not be less than ten days from the day of its passage.

Fines and
penalties.

Sec. 98. When by the provision of this act the council of said city has authority to pass ordinances for any purpose, they may prescribes fines, penalties and forfeitures not exceeding one hundred dollars, unless a greater fine or penalty is herein authorized, or imprisonment not exceeding ninety days, or both, in the discretion of the court, together with the costs of prosecution, for each violation of any of said ordinances; and may provide that the offender, on failing to pay any such fine, penalty, or forfeiture, and the costs of prosecution, may be imprisoned for any term not exceeding ninety days, unless payment thereof be sooner made; and may direct such imprisonment to be in the Detroit house of correction, or in the county jail of the county of Washtenaw, or in such other prison or place of confinement in the State as the council may prescribe; and that the offender be kept at labor during such imprisonment. Such fine, penalty, forfeiture, and imprisonment for the violation of any ordinance shall be prescribed therein.

Approval of
ordinances by
mayor.

Sec. 99. On the same day, or on the next day after the passage of an ordinance, the clerk of the common council shall present the same to the mayor or other person performing the duties of mayor, for his approval. No ordinance shall be of any force without the written approval of the mayor or other person performing for the time being the duties of his office, unless he omit to return it to the city clerk with his objections within six days after its presentation to him, or in case of the absence of the city clerk, to the common council at its next regular meeting; in case of his approval or failure to return as aforesaid, it shall be regularly enacted. If, after the return of the ordinance with the objections thereto, as aforesaid, the same shall be passed or reënacted by a vote of two-thirds of all the aldermen elected, the ordinance shall be regularly enacted, and the time of its reënactment shall be deemed to be the time of its passage: *Provided, however,* That no resolution

Proviso.

passed by the common council shall have any force or effect for one week, unless sooner approved by the mayor. If the mayor, or other officer legally discharging the duties of mayor, shall within one week after the passage of such resolutions, lodge in the office of the city clerk his reasons, in writing, why the same shall not go into effect, the same shall not go into effect, unless at a subsequent council it shall be passed by a majority of two-thirds of all the aldermen elected, and if so re-passed, shall go into effect according to the terms thereof.

Sec. 100. At the time of presenting any ordinance to the mayor for his approval, the city clerk shall certify thereon, and also in the journal or record of the proceedings of the council, the time when the same was so presented, and shall also certify thereon, and in such journal or record, the time of the return of such ordinances, and whether approved or with objections, and shall at the next meeting of the council, report any ordinance returned with objections thereto.

Sec. 101. No ordinance shall be amended unless the whole, or so much as is intended to be amended, shall be reenacted. Revival and amendment of ordinances. When any section of an ordinance is amended the whole section is amended, and shall be reenacted.

Sec. 102. All ordinances, when approved by the mayor, or regularly enacted, shall be immediately recorded by the city clerk in a book to be called "the record of ordinances," and it shall be the duty of the mayor and city clerk to authenticate the same by their official signatures upon such record.

Sec. 103. Immediately after the passage of any ordinance, the same shall be published once in some weekly newspaper printed and circulated within the city, and the city clerk shall immediately after such publication enter upon the record of ordinances, in a blank space to be left for such purpose, under the recorded ordinance, a certificate stating in what newspaper and of what date such publication was made, and sign the same officially; and such certificate shall be *prima* Publication of ordinances. Certificate of publication.

facia evidence that legal publication of such ordinance has been made.

Proof of ordinances, etc., in court.

Sec. 104. In all courts having authority to hear, try, or determine any matter or cause arising under the ordinances of said city, and in all proceedings in such city relating to or arising under the ordinances or any ordinance thereof, judicial notice shall be taken of the enactment, existence, provisions, and continuing force of the ordinances of the city. And whenever it shall be necessary to prove any of the laws, regulations, or ordinances of said city, or any resolutions adopted by the council thereof, the same may be read in evidence in all courts of justice, and in all proceedings, *First*, From a record thereof kept by the city clerk; *Second*, From a copy of such record, certified by the city clerk under the seal of the city, *Third*, From any volume of ordinances purporting to have been written or printed by authority of the council.

ENFORCEMENT OF ORDINANCES.

Time and place for commencement of prosecution.

Sec. 105. Prosecutions for violations of the ordinances of said city shall be commenced within two years after the commission of the offense, and shall be brought within the city.

Recovery of penalties and forfeitures.

Sec. 106. Whenever a pecuniary penalty or forfeiture shall be incurred for the violation of any ordinance, and no provision shall be made for the imprisonment of the offender upon conviction thereof, such penalty or forfeiture may be recovered in an action of debt, or in assumpsit; and if it be a forfeiture of any property, it may be sued for and recovered in an action of trover, or other appropriate action. And whenever a corporation shall incur a penalty or forfeiture for the violation of any ordinance, the same shall be sued for in one of the actions aforesaid.

Idem.

Sec. 107. Such action shall be brought in the name of The City of Ypsilanti, and shall be commenced by summons. The form, time of return, and service thereof, the pleadings and all the proceedings in the case shall, except as otherwise provided herein, conform to and be the same, as nearly as may be, as in

like actions provided by law for the recovery of penalties for the violations of the laws of the State. Upon the rendition of judgment against the defendant, execution shall issue forthwith, and excepting when against a corporation, shall require, if sufficient goods and chattels cannot be found to satisfy the same, that the defendant be committed to prison, there to remain for a period not exceeding ninety days, unless such execution be sooner paid, or he be discharged by due course of law; but imprisonment without payment shall not operate as a satisfaction of the judgment, nor shall costs be allowed to the defendant in any such action.

Sec. 108. Prosecutions for violations of the ordinances of Suits commenced by the city may also, in all cases, except against corporations, be warrant commenced by warrant for the arrest of the offender.

Sec. 109. Such warrant shall be in the name of the people Form of war- of the State of Michigan, and shall set forth the substance of ^{warrant.} the offense complained of, and be substantially of the form, and be issued upon complaint made, as provided by law in criminal cases cognizable by justices of the peace. And the proceed- ^{Proceedings.}ings relating to the arrest and custody of the accused during the pendency of the suit, the pleadings and all proceedings upon the trial of the cause, and in procuring the attendance and testimony of witnesses, and in the rendition of judgment, and execution thereof, shall, except as otherwise provided by this act, be governed by and conform as nearly as may be to the provisions of law regulating the proceeding in criminal causes cognizable by justices of the peace.

Sec. 110. If the accused shall be convicted, the court shall Rendition of render judgment thereon, and inflict such punishment, either ^{judgment.} by fine or imprisonment, or both, not exceeding the limit pre-
scribed in the ordinance violated, as the nature of the case may require, together with costs of prosecution.

Sec. 111. Every such judgment shall be executed by virtue Execution of of an execution or warrant of commitment specifying the par- ^{judgment.}ticulars of the judgment. If the judgment be for the payment of a fine only, with or without costs, execution of the form

prescribed in section one hundred and seven of this act shall issue forthwith. If the judgment be for both fine and imprisonment, a warrant shall issue immediately for the commitment of the defendant until the expiration of the term mentioned in the sentence, and an execution shall issue at the same time against the goods and chattels of the defendant for the collection of the fine or forfeiture imposed; but in neither case above mentioned shall the imprisonment without payment operate as a satisfaction of the fine and costs imposed. In cases where a fine, and imprisonment in default of payment thereof, or where imprisonment alone is imposed, a warrant of commitment shall issue accordingly, in the former case, until the expiration of the sentence, unless the fine and costs be sooner paid, and in the latter for the term named in the sentence.

Use of county
jail, Detroit
House of
Correction, etc.

Sec. 112. Said city shall be allowed the use of the jail of the county of Washtenaw for the confinement of all persons liable to imprisonment under the ordinances thereof, or under any of the provisions of this act, and any person so liable to imprisonment may be sentenced to and committed to imprisonment in such county jail or in the Detroit house of correction, or other place of confinement provided by the city, or authorized by the ordinances of the city, and the sheriff or other keeper of such jail, or other place of confinement or imprisonment, shall receive and safely keep any person committed thereto as aforesaid, until lawfully discharged.

Process, to
whom directed.

Sec. 113. All process issued in any prosecution or proceeding for the violation of any ordinance of the city, shall be directed "To the marshal of the city of Ypsilanti," or "To the sheriff or any constable of the county of Washtenaw," and may be executed in any part of the State by said officers.

Setting forth of
ordinances in
complaints,
pleadings, etc.

Sec. 114. It shall not be necessary in any suit, proceeding, or prosecution, for the violation of any ordinance of the city, to state or set forth such ordinance, or any provisions thereof, in any complaint, warrant process or pleading therein; but the same shall be deemed sufficiently set forth or stated by reciting its title and the date of its passage or approval. And it shall be a sufficient statement of the cause of action in any such

Statement of
cause of action
in complaint,
etc

complaint or warrant, to set forth substantially, and with reasonable certainty as to time and place, the act or offense complained of, and to allege the same to be in violation of an ordinance of the city, referring thereto by its title and the date of its passage or approval, and every court or magistrate having authority to hear or determine the cause, shall take judicial notice of the enactment, existence and provisions of the ordinance of the city, and the resolution of the council, and of the authority of the city to enact the same.

Sec. 115. In all prosecutions for violations of the ordinances of the city, either party may require a trial by jury. Such jury, except where other provision is made, shall consist of six persons; and in suits commenced by warrant, shall be selected and summoned as in criminal cases cognizable by justices of the peace, and in suit commenced by summons as in civil causes triable before such magistrates. No inhabitant of the city shall be incompetent to serve as a juror in any cause or proceeding in which the city is a party, or interested, on account merely of such interest as he may have in common with the inhabitants of the city in the result of the suit.

Sec. 116. Any party convicted of a violation of any ordinance of the city, in a suit commenced by warrant, as aforesaid, may remove the judgment and proceedings into the circuit court for the county of Washtenaw, by appeal or writ of certiorari; and the proceedings therefor, and the bond or security to be given thereon, and the proceedings and disposition of the cause in the circuit court, shall be the same as on appeal and certiorari in criminal cases cognizable by justices of the peace; and in suits to which the city shall be a party, brought to recover any penalty or forfeiture for such violations, either party may appeal from the judgment, or remove the proceedings by certiorari, into the circuit court; and the like proceedings shall be had therefor and thereon, and the like bond or security shall be given, as in cases of appeal and certiorari in civil causes, tried before justices of the peace, except that the city shall not be required to give any bond or security thereon. The circuit court of said county shall also take judi-

Trial by and forming of jury.

Appeal to circuit court.

Bond of security and proceedings.

cial notice of the ordinances of the city, and the resolutions of the council, and the provisions thereof.

Fines, by whom receivable.

Sec. 117. All fines imposed for the violation of the ordinances of the city, if paid before the accused is committed, shall be received by the court or magistrate before whom the conviction was had. If any fine shall be collected upon execution, the officer or person receiving the same shall immediately pay over the money collected to such court or magistrate. If the accused be committed, payment of the fine and costs imposed shall be made to the sheriff or other keeper of the county jail, or to the keeper of the Detroit house of correction, who shall, within thirty days thereafter, pay the same to said court or magistrate; and the court or magistrate receiving any such fine, or penalty, or any part thereof, shall pay the same into the city treasury on or before the first Monday of the month next after the receipt of the same, and take the treasurer's receipt therefor, and file the same with the city clerk.

Monthly payment into city treasury.

Cases of neglect to pay over fines.

Sec. 118. If any person who shall have received any such fine, or any part thereof, shall neglect to pay over the same pursuant to the foregoing provision, it shall be the duty of the council to cause suit to be commenced immediately therefor, in the name of the city and to prosecute the same to effect. Any person receiving any such fine, who shall wilfully neglect or refuse to pay over the same as required by the foregoing provisions, shall be deemed guilty of a misdemeanor, and shall be punished accordingly.

Disposition of fines paid into city treasury.

Sec. 119. Fines paid into the city treasury for violations of ordinances of the city, shall be disposed of as the council may direct. The expenses of the apprehension and punishment of persons violating the ordinances of the city, excepting such part as shall be paid by costs collected, shall be defrayed by the city.

Security for costs.

Sec. 120. In all prosecutions for violations of the ordinances of the city, commenced by any person other than an officer of the city, the court shall require the prosecutor to file security for the payment of the costs of the proceedings, in case the defendant is acquitted.

GENERAL POWERS OF THE COMMON COUNCIL.

Sec. 121. The common council of said city shall, in addition to such other powers as are herein conferred, have the general powers and authority in this chapter mentioned; and may pass such ordinances in relation thereto, and for the exercise of the same, as they may deem proper, viz.:

First, To restrain and prevent vice and immorality, gambling, noise, and disturbance, indecent or disorderly conduct or assemblages, and to punish for the same; to prevent and quell riots; to preserve peace and good order, and to protect the property of the corporation, and of its inhabitants, and of any association, public or private corporation or congregation therein, and to punish for injuries thereto, or for unlawful interference therewith;

Second, To apprehend and punish vagrants, drunkards, disorderly persons, and common prostitutes;

Third, To prevent injury or annoyance from anything dangerous, offensive, or unhealthy; to prohibit and remove anything tending to cause or promote disease; to prevent and abate nuisances, and to punish those occasioning them, or neglecting or refusing to abate, discontinue, or remove the same; and generally to determine and declare what shall be called nuisances;

Fourth, To prohibit and suppress all disorderly houses and places, houses of ill-fame, assignation houses, gaming houses, and all places where persons resort for gambling, or to play at games of chance, and to punish the keepers thereof;

Fifth, To regulate, license, prohibit and suppress billiard tables, and pigeon-hole tables, nine or ten pin alleys or tables, and ball-alleys, and to punish the keepers thereof;

Sixth, To prohibit and suppress every species of gaming, and to authorize the seizure and destruction of all instruments and devices used for the purpose of gaming;

Seventh, To regulate, prohibit and suppress ale, beer, and porter houses, and all places of resort for tippling and intem-

perance, and to punish the keepers thereof; and all persons assisting in carrying on the business thereof, and to require all such places to be closed on the Sabbath day, and upon such other days, and during such hours of every night as the council shall prescribe;

Spirituos liquors, etc. *Eighth,* To prevent the selling or giving of any spirituous, fermented, or intoxicating liquors to any drunkard or intemperate person, minor, or apprentice, and to punish any person so doing;

Shows, etc. *Ninth,* To regulate, license, restrain, and prohibit all sports, exhibitions of natural or artificial curiosities, caravans, circuses, menageries, theatrical exhibitions, shows, and all exhibitiouis of whatever name or nature, for which money or other reward is in any manner demanded or received, lectures or historic, literary or scientific subjects excepted;

Violation of Sabbath. *Tenth,* To prevent and punish violations of the Sabbath day, and the disturbance of any religious meeting, congregation, or society, or other public meeting assembled for any lawful purpose; and to require all places of business to be closed on the Sabbath day;

Auctions, etc. *Eleventh,* To license auctioneers, auctions, and sales at auction; to regulate or prohibit the sale of live or domestic animals at auction in the streets or alleys, or upon any public grounds within the city; to regulate or prohibit the sale of goods, wares, property, or anything at auction, or by any manner of public biddings or offers by the buyers or sellers after the manner of auction sales or Dutch auctions, and to license the same, and to regulate the fees to be paid by and to auctioneers; but no license shall be required in cases of sales required by law to be made at auction or public vendue;

Peddlers, pawnbrokers, etc. *Twelfth,* To license hawkers, peddlers, and pawnbrokers, and hawking and peddling, and to regulate, license or prohibit the sale or peddling of goods, wares, merchandise, refreshments, or any kind of property or thing [things] by persons going about from place to place in the city for the purpose, or from any stand, cart, vehicle, or other device, in the streets,

highways, or in or upon public grounds or buildings in the city;

Thirteenth, To regulate and license all taverns and houses ^{License of} public houses, of public entertainment; all saloons, restaurants, and eating houses;

Fourteenth, To license and regulate all vehicles of every ^{Hacks, etc.} kind, used for the transportation of persons or property, for hire, in the city;

Fifteenth, To provide for and regulate the inspection of ^{Inspection of} meats, poultry, fish, butter, cheese, lard, vegetables, flour, meat, ^{meats, etc.} and other provisions;

Sixteenth, To regulate the inspection, weighing, and measuring ^{Inspection of} of brick, lumber, firewood, coal, hay, and any articles of ^{wood, lumber, etc.} merchandise;

Seventeenth, To provide for the inspection and sealing of ^{Weights and measures.} weights and measures;

Eighteenth, To enforce the keeping and use of proper weights and measures by venders;

Nineteenth, To regulate the construction, repair, and use of ^{Vaults, cisterns, etc.} vaults, cisterns, areas, hydrants, pumps, sewers, and gutters;

Twentieth, To prohibit and prevent, in the streets or elsewhere in said city, indecent exposure of the person, the show, sale, or exhibition for sale, of indecent or obscene pictures, drawings, engravings, paintings and books and pamphlets, and all indecent or obscene language, exhibitions, and shows of every kind;

Twenty-first, To regulate or prohibit bathing in the rivers, ^{Bathing.} ponds, streams, and waters of the city-

Twenty-second, To provide for clearing the rivers, ponds, ^{Purity of} and streams of the city, and the races connected therewith, of ^{streams, ponds, etc.} all driftwood and noxious matter; to prohibit and prevent the depositing therein of any filth or other matter tending to render the waters thereof impure, unwholesome, and offensive;

Twenty-third, To compel the owner or occupant of any ^{Offensive} grocery, tallow-chandler shop, soap or candle factory, butcher places.

shop or stall, slaughter house, stable, barn privy, sewer, or other offensive, nauseous, or unwholesome place or house, to cleanse, remove or abate the same whenever the council shall deem it necessary for the health, comfort, or convenience of the inhabitants of the city ;

**Gunpowder,
etc.**

Twenty-fourth, To regulate the keeping, selling and using of gunpowder, firecrackers, and fireworks, and other combustible materials, and the exhibition of fireworks, and the discharge of firearms, and to restrain the making or lighting of fires in the streets and other open spaces in the city;

**Construction of
cellars, drains,
etc.**

Twenty-fifth, To direct and regulate the construction of cellars, slips, barns, private drains, sinks, and privies; to compel the owner or occupant to fill up, drain, cleanse, alter, relay, or repair the same, and to pull down or remove any building, fence, or structure which may be unsafe or liable to fall and injure persons or property, or to cause the same to be done by some proper officer of the corporation, and to assess the expense thereof on the lot or premises having such cellar, slip, barn, private drain, sink, or privy thereon ;

**Mock-auctions,
etc.**

Twenty-sixth, To prohibit, prevent, and suppress mock auctions, and every kind of fraudulent game, device, or practice, and to punish all persons managing, using, practicing or attempting to manage, use, or practice the same, and all persons aiding in the management or practice thereof ;

Lotteries.

Twenty-seventh, To prohibit, prevent, and suppress all lotteries for the drawing or disposing of money, or any other property whatsoever, and to punish all persons maintaining directing or managing the same, or aiding in the maintenance, directing or managing the same ;

**Hackmen,
runners, etc.**

Twenty-eighth, To license and regulate solicitors for passengers, or for baggage for any hotel, tavern, public house, or railroad; also draymen, carmen, truckmen, porter, [porters], runners, drivers of cabs, hackney coaches, omnibuses, carriages, sleighs, express vehicles, and vehicles of every other description used and employed for hire, and to fix and regulate the amounts and rates of their compensation ;

Twenty-ninth, To provide for the protection and care of ^{Paupers.} paupers, and to prohibit and prevent all persons from bringing to the city from any other place any pauper or other person, likely to become a charge upon said city, and to punish therefor ;

Thirtieth, To provide for taking a census of all the inhabitants of the city, whenever the council shall see fit, and to direct and regulate the same ;

Thirty-first, And further, the council shall have authority to ^{General authority.} enact all ordinances, and to make all such regulations, consistent with the laws and constitution of the State, as they may deem necessary for the safety, order, and good government of the city, and the general welfare of the inhabitants thereof; but no exclusive rights, privileges, or permits shall be granted by the council to any person or persons, or any corporation, for any purpose whatever, except to build and operate gas works, water works, and street railroads.

Sec. 122. The council may prescribe the terms and conditions upon which licenses may be granted, and may exact and require payment of such sum for any license, as they may deem proper. The person receiving the license shall, before ^{Bond.} the issuing thereof, execute a bond to the corporation in such sum as the council may prescribe, with one or more sufficient sureties, conditioned for a faithful observance of the charter of the corporation and the ordinances of the council, and otherwise conditioned as the council may prescribe. Every license shall be revocable by the council at pleasure, and when ^{License} _{revocable.} any license shall be revoked for non-compliance with the terms and conditions upon which it was granted, or on account of any violation of any ordinance or regulation passed or authorized by the council, the person holding such license shall, in addition to all other penalties imposed, forfeit all payments made for such license, and no new license for a similar purpose shall be granted to such person thereafter, except by a ^{When two-thirds vote required.} vote of two-thirds of all the members of the council.

Sec. 123. No license shall be granted for any term beyond the first Monday in June next thereafter, nor shall any license

Terms of
license and
enforcing the
taking out
thereof.

be transferable. And the council may provide for punishment by fine or imprisonment, or both, of any person who, without license, shall exercise any occupation or trade, or do anything for or in respect to which any license shall be required by any ordinance or regulation of the council.

Disposition of
money received
for license.

Sec. 124. All sums received for licenses granted for any purpose by the city or under its authority shall be paid into the city treasury to the credit of the contingent fund.

Crossing of
streets by rail-
roads.

Sec. 125. The council of said city shall have authority to permit any railroad company to lay its track and operate its road with steam locomotives, in or across the public streets, highways, or alleys of the city, as the council may deem expedient, upon such terms and conditions, and subject to such regulations to be observed by the company, as the council may prescribe; and to prohibit the laying of such track, or the operating of any such road except upon such terms and conditions.

Regulations
with regard to
railroads and
running trains.

Sec. 126. The council shall have power to provide for and change the location and grade of street crossings of any railroad track, and to compel any railroad company to construct street crossings and bridges in such manner, and with such protection to persons crossing thereat as the council may require, and to keep them in repair; also to require and compel railroad companies to keep flagmen or watchmen at all railroad crossings of streets, and to give warning of the approach and passage of trains thereat, and to light such crossings during the night; to regulate and prescribe the speed of all locomotives and railroad trains within the city; but such speed shall not be required to be less than four miles per hour; and to impose a fine of not less than five nor more than fifty dollars upon the company, and upon any engineer or conductor violating any ordinance regulating the speed of trains.

Idem as to
ditches, etc.

Sec. 127. The council shall have power to require and compel any railroad company, and any street railway company, to make, keep open and in repair, such ditches, drains, sewers, and culverts along and under or across their railroad

tracks, as may be necessary to drain their grounds and right of way properly, and in such manner as the council shall direct, and so that the natural drainage of adjacent property shall not be impeded. If any such railroad company shall neglect to perform any such requirements according to the directions of the council, the council may cause the work to be done at the expense of such company, and the amount of such expense may be collected at the suit of the city against the company in a civil action before any court having jurisdiction of the cause.

Sec. 128. The council is authorized to enact all such ordinances and laws as it may deem proper relative to the building, rebuilding, maintaining, and repairing of partition fences by the owners and occupants of adjoining lots, inclosures, and parcels of land in said city; and relative to the assigning to the owners or occupants of such adjoining pieces of land the portion of such partition fences to be maintained by them respectively; and may provide for the recording of such assignments and divisions when made; and may provide for the recovery of damages from any owner or occupant who shall fail to comply with the provisions and requirements of any ordinance relative to such partition fences. And the council may appoint fence-viewers, and prescribe their duties and mode of proceeding in all cases relating to partition fences in said city.

Partition fences.

Fence viewers.

PUBLIC HEALTH.

Sec. 129. The council of said city may enact all such ordinances as may be deemed necessary for the preservation and protection of the health of the inhabitants thereof, and to prevent the introduction of malignant, infectious, or contagious diseases within the city, or within one mile thereof: and for the removal of persons having such diseases, or whom, from exposure thereto or otherwise, may be suspected or believed to be liable to communicate the same, either beyond the city limits, or to such hospital or place of treatment within the city as the council may prescribe, or the public safety may require. And the power and authority to exercise such power, by ap-

Provisions for protection of.

Provisions as to appropriate regulations [regulation] and ordinance, is hereby vested in said common council to so govern, regulate, and control any and all mill-dams, and the mill-ponds, appurtenant thereto, within the corporate limits of the said city, and the owner or owners, occupant or occupants of said mill-dams and mill-ponds, as that they may not injuriously affect the health of the people of said city, or any of them. And said common council shall have power, by regulation and ordinance, imposing suitable fine and penalty upon the owner or owners, occupant or occupants of the mill-dams which regulate the height of water in such mill-ponds, to forbid, and wholly prevent the use of water at such mill-dams during the months of June, July, August, and September in each year, in such manner as to alternately use or draw out the water in said ponds, and then cease from any use, and allow them to fill up; or in any other manner, which shall injuriously affect the health of the people of said city, or any of them.

Abatement of
nuisances.

Sec. 130. The council shall have power to prevent and remove or abate all nuisances dangerous to life or health within the city; and may require any person, corporation, or company causing such nuisance, and the owner or occupant of any lot or premises upon or in which any such nuisance or cause of disease may be found, to remove or abate the same, upon such notice, and within such time, and in such manner as the council may by ordinance or resolution direct.

Cleaning or
draining
unwholesome
place.

Sec. 131. If any cellar, vault, lot, sewer, privy, drain, place, or premises within the city shall be damp, unwholesome, offensive, or filthy, or be covered during any portion of the year with stagnant or impure water, or shall be in such condition as to produce unwholesome or offensive exhalations, the council may cause the same to be drained, filled up, cleaned, amended, or purified; or may require the owner or occupant, or person in charge of such lot, premises, or place, to perform such duty.

Collection of
expense of re-
movals, etc., by
city in case of
neglect.

Sec. 132. If any person, corporation, or company shall neglect to remove or abate any nuisance, or to perform any requirement made by or in accordance with any ordinance or

resolution of the council, or by the board of health of the city, for the protection of the health of the inhabitants, and if any expense shall be incurred by the city in removing or abating such nuisance, or in causing such duty or requirement to be performed, such expense may be recovered by the city in action of debt or assumpsit against such person, corporation, or company. And in all cases where the city shall incur any expense for draining, filling, cleansing, or purifying any lot, place, or premises, or for removing any unsafe building or structure, or for removing or abating any nuisance found upon any such lot or premises, the council may in addition to all other remedies provided for the recovery of such expense, charge the same or such part thereof as they shall deem proper, upon the lot or premises upon or on account of which such expense was incurred, or from which such nuisance was removed or abated, and cause the same to be assessed upon such lot or premises, and collected as a special assessment.

Sec. 133. The council may purchase the necessary lands, and erect thereon, or otherwise provide, one or more hospitals, either within or without the city limits, and provide for the appointment of the necessary officers, attendants, or employees, and for the care and management thereof, and for the care and treatment therein of such sick and diseased persons as to the council or board of health shall seem proper; and, by direction of the council or board of health, persons having any malignant, infectious, or contagious disease, may be removed to such hospital, and there be detained and treated, when the public safety may so require; and the council may provide such restraints and punishments as may be necessary to prevent any such person from departing from such hospital until duly discharged.

Establishment
of hospitals
and detention of
persons having
contagious
diseases.

Sec. 134. The council shall also have and exercise within and for the city all the powers and authority conferred upon boards of health by the general laws of the State, so far as the same are applicable and consistent with this act; and they may enact such ordinance as may be proper for regulating the proceedings and mode of exercising such powers and authority.

Council vested
with powers as
board of health.

Board of
health.

Sec. 135. The council, when deemed necessary, may establish a board of health for the city and appoint the necessary officers thereof, and provide rules for its government, and invest it with such power and authority as may be necessary for the protection and preservation of the health of the city; and in addition thereto the board shall have and exercise all the powers conferred on boards of health by the several laws of the State, so far as they may be exercised consistently with the provisions of this act. And the council may prescribe penalties for the violation of any lawful order, rule, or regulation, made by the board of health or any officer thereof.

CEMETERIES.

Protection of
church
cemeteries, etc.

Sec. 136. The council shall have power to pass all ordinances deemed necessary for the preservation and protection of any cemetery or burial place within the city, belonging to or under the control of any church, religious society, corporation, company, or association, and for the protection and preservation of the tombs, monuments, and improvements thereof, and the appurtenances thereto.

Burials in East-
ern Cemetery.

Sec. 137. The common council shall have power by ordinance to forbid and prevent further burials in the Eastern Cemetery in the city, whenever the council shall by a two-thirds vote of all the aldermen elected, resolve that such burials are injurious to the public health.

POUNDS.

Poundmaster
and impound-
ing animals, etc.

Sec. 138. The council may provide and maintain one or more pounds within the city, and may appoint pound masters, prescribe their powers and duties, and fix their compensation; and may authorize the impounding of all beasts, geese, and other fowls found in the streets or otherwise at large, contrary to any ordinance of the city.

Fees and
penalties.

Sec. 139. The council may also prescribe the fees for impounding, and the amount or rate of expenses for keeping, and the charges to be paid by the owner or keeper of the beasts,

geese, or fowls impounded; and may authorize the sale of such beasts, geese, and fowls, for the payment of such fees, expenses and charges, and for penalties incurred, and may impose penalties for rescuing any beast or thing impounded.

MARKETS.

Sec. 140. The council of said city shall have the power to erect market houses, establish and regulate markets and market places for the sale of meats, fish, vegetables, wood, hay, and straw, and other provisions and articles necessary to the sustenance, convenience and comfort of the inhabitants; to prescribe the times for opening and closing the same; the kind and description of articles which may be sold; and the stands and places to be occupied by the vendors.

Sec. 141. The council may adopt and enforce such rules and regulations as may be necessary to prevent fraud, and to preserve order in the markets; and may authorize the immediate seizure, arrest, and removal from the market of any person violating its regulations, together with any articles in his or their possession; and may authorize the seizure and destruction of tainted, unsound, or unwholesome meats, or other provisions exposed for sale therein, or elsewhere in said city.

PUBLIC BUILDINGS, GROUNDS, AND PARKS.

Sec 142. Said city may acquire, purchase, erect, or lease all such public buildings as may be necessary for the use of the corporation, and may purchase, acquire, appropriate and own such real estate as may be necessary for public grounds, parks, markets, public buildings, and other purposes necessary or convenient for the public good, and the execution of the powers conferred in this act; and such buildings and grounds, or any part thereof, may be sold, leased, and disposed of as occasion may require.

Sec- 143. The council shall have authority to lay out, establish, and enlarge or vacate and discontinue public grounds and parks within the city, and to improve, light, and ornament the same, and to regulate the care thereof, and to protect the

same and the appurtenances thereof from obstructions, encroachment, and injury, and from all nuisances.

SEWERS, DRAINS AND WATER-COURSES.

**Establishment
and construction.**

Sec. 144. The council of said city may establish, construct, and maintain sewers and drains wherever and whenever necessary, and of such dimensions and materials, and under such regulations as they may deem proper for the drainage of the city, and may regulate and maintain those already constructed; and private property, or the use thereof, may be taken therefor in the manner prescribed in this act for taking such property for public use. But in all cases where the council shall deem it practicable, such sewers and drains shall be constructed in the public streets and grounds.

**Care and
management.**

Sec. 145. The common council of said city shall have the care and management of all sewers and drains, and the charge of their construction.

**Plan for
drainage.**

Sec. 146. Whenever it may become necessary in the opinion of the council to provide sewerage and drainage for the city or any part thereof, it shall be their duty to so declare by resolution, and cause a plan of drainage to be prepared for the whole city, or for such part thereof as they shall determine.¹

**Main sewer
district.**

Sec. 147. Such plan shall be formed with the view of the division of the city into main sewer districts, each to include one or more main or principal sewers, with the necessary branches and connections; the districts to be numbered and so arranged as to be as nearly independent of each other as may be. Plats or diagrams of such plan, when adopted, shall be filed in the office of the city clerk.

Plats.

Sec. 148. Main sewer districts may be subdivided into special sewer districts in such manner that each special district shall include one or more lateral or branch sewers connecting with a main sewer, and such lands as in the opinion of the council will be benefited by the construction thereof. When

1. As Amended by Act 110 of the Laws of 1891.

deemed necessary, special sewer districts, to include one or more local or branch sewers, and such lands as in the opinion of the council will be benefited by the construction thereof, may be formed of territory not included in any main sewer district.

Sec. 149. The cost and expense of any main district sewer, or of the cost of any lateral, branch, or local sewer constructed within a special sewer district, shall be defrayed by special assessment upon all the taxable lands and premises included within the main or special sewer district as the case may be, in proportion to the estimated benefits accruing to each parcel respectively from the construction of the sewer.

Sec. 150. Before proceeding to the construction of any district sewer, the city surveyor, by direction of the common council, shall make a diagram and plat of the whole sewer district, showing all the streets, public grounds, lands, lots, and subdivisions thereof in the district, and the proposed route and location of the sewer; and the depth, grade, and dimensions thereof, accompanied by an estimate of the cost thereof, and report the same to the common council. And the city clerk shall give notice, by publication, for at least two weeks, in one of the newspapers of the city, of the intention to construct said sewer, and where said diagram and plat may be found for examination, and of the time when the council will meet and consider any suggestions and objections that may be made by parties interested with respect to such sewer.

Sec. 151. When the council shall determine to construct any such district sewer, they shall so declare by resolution, designating the district, and describing by reference to the plat and diagram thereof mentioned in the preceding section, the route and location, grade, and dimentions of the sewer; and they shall cause such plat and diagram as adopted to be recorded in the office of the city clerk.

Sec. 152. Special assessments for the construction of sewers shall be made by the board of assessors in the manner provided in this act for making special assessments.

Manner of paying for various kinds of sewers.

Diagrams and estimates of costs of sewers to be built.

Notice of intention to construct.

Resolution to construct.

Record of plat.

Ordering
construction of
private drains.

Expense
thereof.

Connection of
premises.

Special assess-
ments for
improving
ditches, water
courses, etc.

Expenses of
repairing and
reconstructing.

Protection and
control of
public sewers.

Sec. 153. Whenever the council shall deem it necessary for the public health they may require the owner and occupants of lots and premises to construct private drains therefrom to connect with some public sewer or drain, and thereby to drain such lots and premises; and to keep such private drains in repair and free from obstruction and nuisance; and if such private drains are not constructed and maintained according to such requirement, the council may direct the work to be done by the city marshal at the expense of such owner or occupant, and the amount of such expense shall be a lien upon the premises drained, and may be collected by special assessment to be levied thereon.

Sec. 154. The owners or occupants of lots and premises shall have the right to connect the same, at their own expense, by means of private drains, with the public sewers and drains, under such rules and regulations as the council shall prescribe.

Sec. 155. Such parts of the expenses of providing ditches, and improving water-courses, as the council shall determine, may be defrayed by special assessment upon the lands and premises benefited thereby, in proportion to such benefits.

Sec. 156. The expenses of repairing public sewers, ditches, and water-courses, may be paid from the contingent, or street fund. The expense of reconstructing public sewers shall be defrayed in the manner herein prescribed for paying the expenses of the construction thereof.

Sec. 157. The council may enact such ordinances as may be necessary for the protection and control of the public drains and sewers, and to carry into effect the power herein conferred in respect to drainage of the city.

STREETS AND PUBLIC GROUNDS.

Control and
repairs.

Sec. 158. The council shall have supervision and control of all public highways, bridges, streets, avenues, alleys, sidewalks, and public grounds within the city, and may cause the same to be kept in repair, and free from nuisance.

Sec. 159. But the city shall not appropriate any money for Care of streets
the care, improvement, or repair of any street or alley laid out by council.
or dedicated to public use by the proprietors of any lands
which had not been actually accepted, worked, and used by
the public as a street or alley before the passage of this act,
nor for the improvement and repair of any street or alley laid
out or dedicated by any such proprietor after the passage of
this act, unless the dedication shall be accepted and confirmed
by the council by an ordinance or resolution specially passed
for that purpose.

Sec. 160. The council may cause all public streets, alleys, Survey and
and public grounds to be surveyed, and may determine record of
streets.
establish the boundaries thereof, and cause the surveys and
descriptions thereof to be recorded in the office of the city clerk,
in a book of street records; and they shall cause surveys and
descriptions of all streets, alleys, and public grounds opened,
laid out, altered, extended, or accepted and confirmed by the
council, to be recorded in like manner; and such record shall
be *prima facia* evidence of the existence of such streets, alleys,
or public grounds as in the records described.

Sec. 161. The council shall have authority to determine Grades of
and establish the grades of all streets, avenues, alleys, and
public grounds within the city, and may change or alter the
grade of any street, alley, or public ground, or any part thereof,
whenever in their opinion the public convenience will be
promoted thereby. Whenever a grade shall be established or
altered, a record and diagrams thereof shall be made in the
book of street records, provided by the common council, which
shall be kept in the office of the city clerk.

Sec. 162. Whenever any pavement shall have been constructed on any street, alley, or highway, in conformity to Expense of
grades established by authority of the city, and the expenses change of grade
thereof shall have been assessed upon lots and lands bounded when not
by or abutting upon such street, alley, or public highway, the asked for.
owner or owners of such lots or lands shall not be subject to
any special assessment occasioned by any subsequent change
of grade in such pavement, street, alley, or public highway,

unless such change be asked for by a majority of the owners of such lots or lands; but the expense of all improvements occasioned by such change of grade shall be chargeable to and paid for by the city.

Damages resulting by change of grade. Sec. 163. If any damage shall result to any owner by a change of the established grade of any street, alley, or sidewalk, the council shall levy and collect the amount thereof by special assessment upon the lots benefited thereby, and therewith pay the same; but the city shall incur no liability by reason of any thing in this section contained.

PAVING AND IMPROVEMENTS.

Authority for. Sec. 164. The common council shall have power to cause the highways, streets, avenues, lanes and alleys of the city to be graded, paved, planked, graveled, curbed, and otherwise improved and repaired, and the gutters paved. The term "paved" shall be deemed to include the necessary cross walks, gutters, curbing and ballasting. Each of the wards of said city of Ypsilanti, shall constitute a separate highway district, of said city, numbered correspondingly with said wards severally, and each district shall have its separate highway fund, and it shall not be lawful to expend any portion of the highway tax, authorized by this act, except in the highway districts in which it was raised.¹

Apportionment of paving, etc. Sec. 165. Such part of the expense of improving any street, lane, or alley by paving, planking, graveling and curbing, and of repairing the same, as the common council shall determine, may be paid from the respective highway district funds; or the whole or such part of the expense of such improvement as the council shall determine, may be defrayed by special assessments upon lots and premises included in a special assessment district, to be constituted of the lands fronting upon that part of the street or alley so improved, or proposed so to be; or constituted of lands fronting upon such improvement, and such other lands as in the opinion of the council may be benefited by the improvement.²

1. As Amended by Act 400 of the Laws of 1881.
2. As Amended by Act 400 of the Laws of 1881.

Sec. 166. When expenses for any such improvement or re-pairs shall be assessed in a special assessment district, and there shall be lands belonging to the city or public buildings or public grounds not taxable, fronting upon such improvement, such part of the expense of such improvement as in the opinion of the council or board of assessors making a special assessment, would be justly apportionable to such public grounds, buildings and city property, and to any interior squares or spaces formed by the intersection of public streets and alleys, were they taxable, shall be paid from the contingent fund of said city, as the council shall determine to be just, and the balance of such expenses shall be assessed upon the taxable lots and premises included in the special assessment district, in proportion to their number of feet frontage upon such improvement, or if the special assessment district shall include other lands not fronting on the improvement, then upon all the lands included in such special assessment district, in proportion to the estimated benefits thereto from the improvement. When such assessment is to be made upon lots in proportion to their frontage upon the improvement, if from the shape or size of any lot an assessment thereon in proportion to its frontage would be unjust and disproportionate to the assessments upon other lots, the council or board of assessors making the assessment may assess such lot for such number of feet frontage as in their opinion will be just.¹

STREET REGULATIONS.

Sec. 167. The council shall have power to prohibit and prevent obstructions and incumbrances in the public highways, streets, and alleys of the city, and to remove the same, and to prohibit encroachments upon any public street, alley, or highway; and to punish those who shall obstruct, incumber, encroach, or maintain any encroachments upon or in any such highway, street, or alley, and to require all such persons to remove every such obstruction, incumbrance, or encroachment.

Sec. 168. The council may provide for and regulate the planting of shade and ornamental trees in the public highways,

1. As Amended by Act 400 of the Laws of 1881.

streets, and avenues of the city, and for the protection thereof; and may cause the streets and public grounds to be lighted, and regulate the setting of lamp-posts therein, and protect the same.

Digging in
streets for
laying gas-
pipes, etc.

Sec. 169. The common council may, by ordinance, regulate the manner of making of all openings in, and removals of, the soil of public streets, for the laying or repair of sewers, drains, tunnels, gas-pipes, water-pipes, or for any other purpose; and may prohibit and prevent all such openings and removals of the soil, except by express permission of the council, and at such times, and upon such terms and regulations as they may prescribe.

Regulations as
to use of streets.

Sec. 170. The council may regulate the use of public highways, streets, avenues, and alleys of the city, subject to the right of travel and passage therein. They shall have authority to prescribe the stands for all vehicles kept for hire, or used for the transportation of persons or property for hire; to designate the places where loads of wood, coal, hay, and other articles may stand for sale, to regulate traffic and sales in the streets and upon sidewalks; to regulate or prohibit the display, use, or placing of signs, advertisements, and banners, awning posts, and telegraph poles, in or over the streets; to prohibit immoderate riding or driving in the streets, or over bridges, to regulate or prohibit all such sports, amusements, proceedings, and gathering of crowds in the streets as may interfere with the lawful use thereof, or to render travel or passage therein inconvenient or unsafe; to prohibit and prevent the running at large of horses, cattle, swine, dogs, geese, and other domestic animals or fowls in the streets, or elsewhere in the city, and to impose penalties upon the owners or keepers thereof permitting the same, and to require and authorize the destruction of dogs found at large contrary to the ordinances of the city; to cleanse and purify the streets; and to prohibit, prevent, remove, and abate all nuisances therein, and to require the authors and maintainers thereof to remove the same, and to punish them; and generally to prescribe and enforce all such police regulations over and in respect to the public streets, as

Stands for
vehicles.

Wood and hay
market.

Signs.

Immoderate
driving.

Gathering of
crowds.

Running at
large of ani-
mals, fowls, etc.

Dogs.

Cleaning and
removing
nuisances.

may be necessary to secure good order, and safety of persons and property in the lawful use thereof; and to promote the general welfare; and in addition to all other powers herein granted, the council shall have the same authority and powers over and in respect to the public streets of the city, as are conferred by law upon highway commissioners in townships. General authority.

Sec. 171. When the council shall deem it advisable to vacate, discontinue, or abolish any street, alley, or public ground, or any part thereof, they shall by resolution so declare, and in the same resolution shall appoint a time, not less than four weeks thereafter, when they will meet and hear objections thereto; notice of such meeting with a copy of said resolution shall be published for not less than four weeks before the time appointed for such meeting in one of the newspapers of the city. Objections to such proposed action of the council may be filed with the city clerk in writing, and if any such shall be filed, the street, alley, or public ground, or any part thereof, shall not be vacated or discontinued except by a concurring vote of two-thirds of all the aldermen elect. Vacating streets. Notice of meeting to hear objections. Filing objections with City Clerk. Effect of filing.

SIDEWALKS.

Sec. 172. The city council shall have control of all sidewalks in the public streets and alleys of the city, and may prescribe the grade thereof, and change the same when deemed necessary. They shall have power to construct and maintain sidewalks and crosswalks in the public streets and alleys and charge the expense of sidewalks upon the lots and premises adjacent to and abutting upon such walks. Control. Construction. Expense.

Sec. 173. The council shall also have authority to require the owners and occupants of lots and premises to construct and maintain sidewalks in the public streets adjacent to and abutting upon such lots and premises, and to keep them in repair at all times, and to construct and lay the same upon such lines and grades, and of such width, materials and manner of construction, and within such time as the council shall, by ordinance or resolution, prescribe. Idem.

Removal of
snow, ice, etc.

Sec. 174. The council shall also have power to cause and require the owners or occupants of any lot or premises to remove all snow and ice from the sidewalks in front of or adjacent to such lot and premises, and to keep the same free from obstructions, encroachments, encumbrances, filth, and other nuisances, and to cause and require the owners or occupants of any lot or premises to remove all filth and obstructions from the gutter adjacent to such lot or premises, and to keep the street in front of their premises clear from noxious weeds.

Filth in
gutters, etc.

Sec. 175. If the owner or occupant of any lot or premises shall fail to construct or maintain any particular sidewalk as mentioned and prescribed in the last two sections, or shall fail to keep the same in repair, or to remove the snow, ice, and filth therefrom, or to remove and keep the same free from obstructions, encroachments, encumbrances, or other nuisances, or shall fail to keep the gutters clear of filth or obstructions, or to keep the street in front of his lots or premises clear from noxious weeds, or shall fail to perform any other duty required by the council in respect to such sidewalks, gutters, or streets adjacent to or abutting upon his lots or premises, within such time and in such manner as the council shall require, the council may cause the same to be done and such sidewalk to be constructed or repaired, or such gutter to be cleared, or street to be cleared of noxious weeds, at the expense of such owner or occupant, and the amount of all expenses incurred by the council thereby, with ten per cent added, shall be levied as a special assessment upon the lot or premises adjacent to and abutting upon such sidewalk.

Expense a
special tax on
property.

Regulations as
to signs, awnings,
etc.

Sec. 176. The council shall have power to regulate and prohibit the placing of signs, awnings, awning posts, and of other things upon or over sidewalks, and to regulate or prohibit the construction and use of openings in the sidewalks, and of all vaults, structures, and excavations, under the same, and to prohibit and prevent obstructions, encumbrances, or other nuisances upon the sidewalks.

Sec. 177. If any owner, occupant, or person in charge of any lot or premises shall neglect to repair any sidewalk in

front of or adjacent to such premises, or to remove any snow or ice therfrom, or to keep the same free from obstructions and incumbrances, in accordance with the requirements of the ordinances and regulations of the council, he shall be liable to the city for the amount of all damages which shall be recovered against the city for any accident or injury occurring by reason of such neglect.

APPROPRIATION OF PRIVATE PROPERTY.

Sec. 178. The common council of the city of Ypsilanti shall have full power to lay out, establish, open, extend, widen, straighten, alter, close, fill in, or grade, vacate or abolish, any highways, streets, avenues, lanes, and alleys, public grounds or spaces in said city, and if in so doing it shall be necessary to take or use private property, the same may be taken in the manner in this act provided for taking private property for public use. The expense caused by the exercise of the powers of the council in this section conferred, or a portion thereof, may be paid by special assessments upon the property adjacent to, or benefited by the improvement in the manner in this act provided for levying and collecting special assessments, or in discretion of the council, a portion or all such cost and expenses may be paid from the highway district funds.

Sec. 179. Private property may be appropriated for public uses in said city, for the purposes of opening, widening, altering, and extending streets, alleys, and avenues; for the construction of bridges; for buildings and structures for the fire department, and for market places; for sewers, drains, and ditches; for water works, and for necessary public buildings, hospitals, pest houses, and public cemeteries; but such property shall not be taken therefor unless the necessity for using such property and just compensation thereof shall be ascertained by a jury of twelve freeholders residing in the vicinity of such property. The common council may, however, acquire such property by negotiation and purchase,

Sec. 180. When the common council shall seek to take or use private property not acquired by purchase, they shall so

Proceedings when seizure is necessary.

Selection of
justice for im-
paneling jury.

declare by resolution, specifying the purpose for which it is to be taken, and describing each parcel of land designated to be taken, by metes and bounds, giving the names of the owners or persons interested therein, so far as known, and shall in the same resolution designate when application will be made to a justice of the peace of said city for impaneling a jury to ascertain the necessity of taking said land, and the just compensation to be made therefor.

Notice of
application
for jury.

Sec. 181. Upon the passage of the resolution mentioned in the preceding section, a certified copy thereof shall be filed with the justice of the peace designated in said resolution, before the time named in said resolution for the impaneling of said jury, and the city clerk shall give notice of the time and place of making said application, by publishing a copy of the said resolution for two weeks in one of the newspapers of the city, the first publication of which shall be at least twenty days before the time fixed for impaneling said jury, with a notice signed by the city clerk published therewith, that the said resolution was on a certain day passed by the common council. A printed copy of said resolution and notice shall be served personally by the city marshal or any constable of said city, at least one week before the time for said application, upon each owner and person interested in said lands, so far as known, and upon the guardian of any minor or incompetent person interested therein, if to be found within said city or elsewhere in the county, and if any such guardian, owner, or persons interested in the premises shall not be found within the city or county, a copy of said resolution and notice shall be posted upon the premises to be taken, at least one week before making such application. A return by the marshal or constable of the service or posting of copies of said resolution or notice, which return shall be conclusive as to the matters therein stated, and,

Service of
notice.

Return of
officer, when
and where filed.

Effect of notice.

an affidavit of the publication of said resolution and notice shall be filed with said justice before or at the time of making said application, and after the publication and service or posting of said resolution and notice as aforesaid, the owner and all persons interested in any of the lands sought to be taken for the purpose specified in said resolution shall take notice of

and be bound by all subsequent proceedings without further notice except as herein otherwise provided.

Sec. 182. At the time of making the application to the justice of the peace for the impaneling of the jury, and at all subsequent proceedings, any infant or incompetent person may be represented by his guardian appointed under the laws of the State; but if there shall be no guardian, or if no guardian shall appear to represent such infant or incompetent person, the justice of the peace, before proceeding with the matter, shall appoint some disinterested person as guardian *ad litem*, to protect the interests of the person for whom he is so appointed.

Sec. 183. At the time appointed therefor in said resolution, ^{Impaneling of} *jury*. or at such other time as the proceedings shall be adjourned to, the justice of the peace shall, upon the application of the city attorney, cause the marshal or any constable of said city to make a list of twenty-four disinterested freeholders residing in the vicinity of such property, and competent to serve as jurors. From said list the city attorney shall strike off six names, and the owner or owners and persons interested in said lands shall strike off six, or upon their failing so to do, the justice of the peace shall strike off such names for him or them; and thereupon the justice of the peace shall issue a *venire* directed to the marshal or any constable of said city, to summon the twelve persons whose names remain upon said list, to appear before said justice at a time and place in said *venire* to be named, not less than three nor more than six days from the date thereof, to make a jury to enquire of and determine the matters referred to in said resolution; and shall then adjourn the further proceedings in the matter to the return day of said *venire*. Said *venire* shall be served by the marshal or any constable of said city, as in other cases of *venire*; said jurors shall be liable for non-attendance the same as jurors summoned to appear in justices' courts, and may be excused for the same causes as jurors in those courts.

Sec. 184. If upon the return of said *venire* a sufficient number of competent jurors shall not attend in answer to the ^{Completing} *panel of jury*.

Right of challenge.

Oath of juror.

Copy of notice, etc., and plat to be given jury.

Statement of parties not named in resolution.

Jury to examine premises, etc.

Determination and award.

summons, or if any shall be excused or set aside, the justice of the peace shall require the marshal or any constable of said city to summon immediately a sufficient number of other competent freeholders residing in the vicinity of such property until a panel of twelve qualified jurors shall be obtained. Each party, and every person having any interest in any of the lands, shall have the right to challenge any juror for cause, and the justice of the peace shall determine as to the competency of the juror. Such jury shall be sworn to ascertain and determine the necessity of making such proposed improvement, and of taking the parcel or several parcels of land sought to be taken for the purpose set forth in said resolution, and if taken, to determine and award to each person entitled thereto the just compensation to be allowed for his or her interest in the land so taken.

Sec. 185. When the jury shall have been sworn, the city attorney shall deliver to them a copy of the said notice and resolution of the council, and a map or plan of the land sought to be taken, showing the location and boundaries of each parcel of such land, and its position in relation to adjoining lands. And any person claiming an interest in any of the lands sought to be taken, although not named in said resolution as an owner or party interested, may then file with the justice of the peace, a statement of his interest in, and a description of the property in respect to which he claims compensation, and a copy of the same shall be delivered to the jury.

Sec. 186. The jury shall then, or at such other time as the justice of the peace shall direct, proceed to examine the premises sought to be acquired, and testimony may be produced before them under the direction of the court as in cases of ordinary jury trials before justices of the peace, so far as applicable. Upon closing the testimony, the justice of the peace shall instruct the jury as to the provisions of this act relating to their duties. The jury shall consider upon each parcel of land described in the resolution of the council separately. If they shall find it necessary to make such improvement and to take such parcel of land for the purpose of making said improvement, they shall determine and award the compensation to be

made therefor. If only a part of any lot or parcel of land shall be taken, they shall estimate the whole damages occasioned thereby. If several persons shall have separate claims upon the same lot or parcel of land, as owners, mortgagees, lessees, or otherwise, they shall apportion to each such share of the damages awarded as shall be just. Damages for taking the lands of any deceased person may be awarded to the estate.

Sec. 187. The jury shall make a report of their determin- Report of jury. ations and awards in writing. If they shall find such improvement necessary to be made, they shall so state in their report, and shall describe therein, by metes and bounds, each piece or parcel of land which they shall find it necessary to take for the purpose of said improvement, and state the whole amount of damages occasioned by taking the same, the name of the owner, and of any person having separate claims thereon, by mortgage, lease, or otherwise, to whom damages are awarded, and the amount awarded to each, and the date and description of any mortgage, lease, or lien, by virtue of which such claim is made. When conflicting claims are made to any damages awarded, the jury, without deciding between the claimants, shall report the fact, their names, and the amount awarded for the land. They shall report the lands, if any, as to which they fail to agree. Said report, signed by each juror, shall be returned to the justice of the peace within ten days after impaneling the jury.

Sec. 188. The justice of the peace shall enter said report, Entry of report by justice. and all the proceedings had in the cause before him, and shall record a certified copy of the resolution of the council, and all affidavits and returns of the officers, and other papers relating to said matter, in a docket to be provided for that purpose.

Sec. 189. A disagreement of the jury as to one or more distinct parcels of land shall not affect the awards and reports in which they have agreed; and upon any such disagreement the justice of the peace may, upon the motion of the city attorney, impanel a new jury in the same manner as provided for drawing the original jury, and like proceedings shall thereupon be had as to the lands concerning which there was a

Disagreement
of jury.

Appointment in place of jurors unable to discharge duties. failure to agree, and a new jury may in like manner be had as often as necessary. If any juror, during the course of the proceedings, shall be unable to discharge his duties, the justice of the peace may appoint another in his place, who shall have the like qualifications and be sworn, and exercise the same duties as the other jurors of the panel.

Copy of report, etc., for use of council. Sec. 190. Upon filing the report and award made by any jury with said justice of the peace, a copy thereof may be taken by the city attorney for the use of the council, and at any time thereafter, and within sixty days after impaneling the jury making the report, the justice of the peace, upon the application of the city council, shall enter judgment of confirmation of the determination and awards therein made. Unless such application and confirmation shall be made within said sixty days, all proceedings upon that report and award shall be at an end, and a new proceeding may be had as in the case of a disagreement of the jury. All parties interested in such report shall take notice of the confirmation thereof. Any such judgment of confirmation shall be final and conclusive as to all parties not appealing therefrom within the time prescribed in the next section.

Judgment of confirmation. When not made within sixty days.

Appeal to circuit court. Sec. 191. Any party aggrieved by the judgment of confirmation mentioned in the preceding section may, within ten days after the entry thereof, appeal therefrom to the circuit court of the county, by filing with the justice of the peace a claim of appeal, in writing, in which he shall set forth a description of the land in which he claims an interest, his interest therein, and all the errors relating to the proceedings and judgment of which he complains, and his objections, if any, to the amount of damages awarded, and at the same time filing with the justice of the peace a bond to the city in the penal sum of not less than three hundred dollars, with sureties to be approved by said justice of the peace, conditioned that he will prosecute his appeal to effect and pay any costs that may be awarded against him in the circuit court, and paying to the justice of the peace the sum of three dollars for making his return to the appeal: *Provided*, Such appeal shall not prevent the city from taking possession of and occupying the

lands therein described, for the purpose of the proposed improvement, the same as if the appeal had not been taken.

Sec. 192. At the time of filing said claim of appeal the appellant shall present to the justice a statement in the nature of a bill of exceptions, containing so much of the evidence and other proceedings in the matter as shall be sufficient to present the question to be raised upon the errors and objections alleged in the claim of appeal, and shall at the same time serve a copy thereof and of the claim of appeal upon the city attorney, who may propose amendments to said bill. Within ten days after said bill is presented, said justice of the peace shall, if necessary, cause the same to be corrected according to the facts of the case, and sign the same; and within ten days thereafter said justice of the peace shall make and certify a return to said appeal, setting forth a transcript from his docket of all the proceedings and the judgment of confirmation entered therein, and shall attach thereto the report of the jury, and all notices and papers filed with him, together with the bond and claim of appeal and said bill of exceptions, and filed [file] the same with the clerk of said circuit court.

Bill of exceptions.
Correction by justice.
Filing of transcript of docket, etc., with clerk of court.

Sec. 193. Upon filing the return of the justice of [the] peace as mentioned in the preceding section, the circuit court shall have jurisdiction of the case, and upon the hearing thereof, shall first consider the errors alleged in said claim of appeal, and if the proceedings are found invalid as to the party appealing on account thereof, the court shall remand the case, as [so] far as affects the appeal, to said justice, and a new jury may be called, and the like proceedings had as upon the original application for a jury. If no error affecting the merits shall be found in the proceedings, the parties may proceed to trial by jury at the same term, upon the question as to the amount of damages awarded; but the finding of the jury before the justice as to the necessity of making the improvement and of taking the land, shall be held to be conclusive. The appeal of one or more persons interested in any judgment of confirmation, shall not in any way affect said judgment as to the other persons interested therein who do not appeal.

Proceedings in circuit court.
Trial.
Appeal of one person not to affect others.

Judgment.

Sec. 194. Upon the dismissal of the appeal, or rendition of judgment after the trial in the circuit court, said court shall confirm the proceedings, and the right of the city to take and appropriate the lands of the appellant for the purpose mentioned in the resolution of the council, and a certified copy of the proceedings of the circuit court shall be filed in the office of the justice and recorded in his docket. And unless the appellant shall recover judgment for at least thirty dollars more than the amount awarded to him before the justice, he shall pay costs to the city, otherwise the court may award such costs to him as shall be just.

Record and copies of judgment, evidence of regularity of proceedings, etc.

Sec. 195. Certified copies of any judgment of confirmation of the circuit court, or of the justice after the same has become final, and of the report of the jury thereby confirmed, shall be presumptive evidence of the matters therein contained, and of the regularity of all the proceedings to appropriate the property sought to be acquired, and to confirm the same.

Damages. Payment.

Where deposited when person unknown or incapacitated.

Sec. 196. Within three months after the judgment of confirmation by the circuit court, or after the judgment of confirmation by the justice of the peace shall become final, the council shall pay or tender to the respective persons the several amounts of damage and compensation awarded to them, as finally confirmed. And in case any such person shall refuse the same, be unknown, or a non-resident of the city, or be not found therein, or shall be incapacitated from receiving his or her amounts, or the right to any sum awarded be disputed or doubtful, the council may deposit the amount awarded in such case, with a statement of the facts relating thereto, in the treasury of the city, to the credit of the person or persons entitled thereto, and the same shall be paid on demand to any person entitled to receive it. No delay in making any award of damages, or in taking possession of any property, shall be occasioned by any doubt as to the ownership of the property, or as to the interest of the respective parties making claims thereto.

When right to property vests in city.

Sec. 197. Upon the payment, tender, or deposit mentioned in the preceding section, the fee of the land sought to be taken;

with the appurtenances, and the right to occupy the property sought to be used, shall vest in the city, and the council may convert and use the same. A certificate of the city treasurer, Evidence of ownership, etc. of such payment, tender, or deposit, or a record of such certificate in the docket of the justice, or a certified copy thereof, shall be presumptive evidence in [of] the matters therein stated, and of the ownership of the city in the lands and property taken, *Provided*, That in the case of an appeal being taken by any party, no tender of the damages awarded by the jury shall be necessary to authorize the city to take and occupy such lands.

Sec. 198. In all cases where any real estate, subject to a lease or agreement shall be taken for public use, all the covenants and stipulations therein shall end upon the judgment or confirmation in the circuit court, or upon the confirmation by the justice, when the same shall become final. If a part only of such real estate shall be taken, the said covenants and agreements shall be discharged only as to such part.

COSTS OF IMPROVEMENTS.—SPECIAL ASSESSMENTS.

Sec. 199. The cost and expense of the following improvements, including the necessary land therefor, viz.: for city hall and other public buildings, and offices for the use of the city officers, engine houses and structures for the fire department, for water-works, market houses and spaces, cemeteries and parks, watch-houses, city prisons and work-houses, shall be paid from the proper general funds of the city. When by the provisions of this act the cost and expenses of any local or public improvement may be defrayed in whole or in part by special assessment upon lands abutting upon and adjacent to, or otherwise benefited by the improvement, such assessment may be made as in this act provided.

Sec. 200. Within two months after the judgment of confirmation by the circuit court or after the judgment of confirmation by the justice shall become final, if the common council shall determine to defray the whole or any part of the cost and expenses of any improvement, including therein the

total damages and compensation awarded by a jury for taking the land necessary therefor by special assessment, they shall so declare by resolution stating the improvement and what part or portion of the expenses thereof shall be paid by special assessment, and what part if any, has been appropriated from the highway district funds of the city, and shall designate the district upon which the special assessment shall be levied.¹

**Board of
assessors,
compensation
and duties.**

Sec. 201. There shall be a board of assessors in the city consisting of three members, who shall be freeholders and electors in the city to be appointed by the council. Their compensation shall be prescribed by the council. Special assessments authorized by this act, other than those provided for under subdivision one of section two hundred and twenty-eight, shall be made by said board. If a member of the board shall be interested in any assessment, the council shall appoint some other person to act in his stead in making the assessment, who, for that purpose, shall be a member of the board of assessors.²

**Estimates, plats
etc., deposited
with clerk.**

**Notice of
meeting to
consider
objections.**

**What costs and
expenses to
include.**

Sec. 202. Before ordering any part of the expenses of any improvement or repair to be defrayed by special assessment, the council shall cause estimates of the expenses thereof to be made, and also plats and diagrams, when practicable, of the work, and of the locality to be improved, and deposit the same with the city clerk for public examination; and they shall give notice thereof, and of the proposed assessments [assessment], and of the districts to be assessed, by publication for two weeks at least, in one of the newspapers of the city, and of the time when the council will meet and consider and objections thereto. No such special assessment shall be ordered except by the concurrence of two-thirds of the aldermen elect.

Sec. 203. The costs and expenses of any improvements which may be defrayed by special assessments shall include the costs of surveys, plans, assessments, notices, advertising, and costs of construction.

1. As Amended by Act 400 of the Laws of 1881.
2. As Amended by Act 400 of the Laws of 1881.

Sec. 204. Special assessments to defray the costs of any improvement shall be levied before the making of the improvement, or as soon as the improvement is completed and the expense thereof determined, except when the council by resolution shall allow the same to be paid in installments, when at least one quarter of the cost thereof shall be assessed and collected immediately after the making of said improvement or before as the council may determine.¹

Sec. 205. When any special assessment is to be made *pro rata* upon the lots and premises in any special district according to frontage, or benefits, the council shall, by resolution, direct the same to be made by the board of assessors; and shall state therein the amount to be assessed, and whether according to frontage or benefits; and describe or designate the lots and premises, or locality constituting the district to be assessed.

Sec. 206. Upon receiving such order and directions, the board of assessors shall make out an assessment roll, entering, and describing therein all the lots, premises and parcels of land to be assessed, and the valuation thereof, with the names of the persons, if known, chargeable with the assessments thereon; and shall levy thereon and against such persons the amount to be assessed, in the manner directed by the council and the provisions of this act, applicable to the assessment; and when such assessment is completed, they shall report the same to the council.

Sec. 207. If the assessment is required to be according to frontage, they shall assess to each lot or parcel of land such relative portion of the whole amount to be levied as the length of front of such premises abutting upon the improvement bears to the whole frontage of all the lots to be assessed, unless on account of the shape or size of any lot, an assessment for a different number of feet would be more equitable. If the assessment is directed to be according to the benefits they shall assess upon each lot such relative portion of the whole

1. As Amended by Act 437 of the Laws of 1897.

Special assessments
levied before
making improvements.

Directions to
board as to
special
assessments.

Report to
council when
completed.

Assessments
according to
frontage.

According to
benefits.

sum to be levied as shall be proportionate to the estimated benefit resulting to such lot from the improvement, and in making said assessments they shall take as the basis of their assessment the value of all lots, premises, and parcels of land, as valued and assessed for State and county taxation, in the last preceding district tax rolls.

Filed with city
clerk.

Sec. 208. When any special assessment shall be reported by the board of assessors to the council, as in this act directed, the same shall be filed in the office of the city clerk and numbered. Before adopting the assessment, the council shall cause notice to be published for one week at least, in some newspaper of the city, of the filing of the same with the city clerk, and appointing a time when the council will meet to review the assessment. Any person objecting to the assessment may file his objection thereto in writing with the city clerk.

Review, correc-
tion and dispo-
sition of roll.

Sec. 209. At the time appointed for that purpose as aforesaid, the council shall meet, and then, or at some adjourned meeting, review the assessment; and the council shall correct the same if necessary, and confirm it as reported, or as corrected; or they may refer the assessment back to the board for revision, or annul it and direct a new assessment; in which case the same proceeding shall be had as in respect to the previous assessment. When a special assessment shall be confirmed, the city clerk shall endorse a certificate thereof upon the roll, showing the date of confirmation.

Confirmation
by council.

Sec. 210. When any special assessment shall be confirmed by the council, it shall be final and conclusive; but no such assessment shall be confirmed, except by a concurrence of a majority of the aldermen elect.

Lien on land
and charge
against person.

Sec. 211. All special assessments shall, from the date of the confirmation thereof, constitute a lien upon the respective lots, or parcels of land assessed, and shall be a charge against the persons to whom assessed, until paid.

Division into
installments.

Sec. 212. Upon the confirmation of any special assessment, the amount thereof may be divided into not more than four in-

stallments, one of which shall be collected each year, at such time as the council shall determine, with annual interest at a rate not exceeding five per cent upon the second, third and fourth installments.¹

Sec. 213. All special assessments, except such installments thereof as the council shall make payable at a future time, as provided in the preceding section, shall be due and payable upon confirmation.

Sec. 214. If any special assessment shall be divided into installments, a special assessment roll shall be made for each installment, as the same shall become due, with accrued interest upon all unpaid installments included and assessed therein. Such special rolls may be made and confirmed without notice to the persons assessed.

Sec. 215. Should any lots or land be divided after a special assessment thereon has been confirmed and divided into installments, and before the collection of all the installments, the council may require the board of assessors to apportion the uncollected amounts upon the several parts of lots and land so divided. The report of such apportionment when confirmed, shall be conclusive upon all the parties, and all the assessments made thereafter upon such lots or lands shall be according to such division.

Sec. 216. Should any special assessment prove insufficient to pay for the improvement or work for which it was levied and the expenses incident thereto, the council may make an additional *pro rata* assessment to supply the deficiency; and in case a larger amount shall have been collected than was necessary, the excess shall be refunded ratably to those by whom it was paid.

Sec. 217. Whenever any special assessments hereafter made shall, in the opinion of the council, be invalid by reason of irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessment to be

1. As Amended by Act 437 of the Laws of 1897.

illegal, the council shall, whether the improvement has been made or not, or whether any part of the assessment has been paid or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All the proceedings on such re-assessment and for the collection thereof shall be conducted in the same manner as herein provided for the original assessment, and whenever any sum or any part thereof levied upon any premises in the assessment so set aside has been paid and not refunded, the payment so made shall be applied upon the re-assessment upon said premises, and the re-assessment shall to that extent be deemed satisfied.

Lien for
equitable
charges not
impaired by
decree vacating
assessments.

Sec. 218. No judgment, or decree, nor any act of the council vacating a special assessment, shall destroy or impair the lien of the city upon the premises assessed, for such amount of the assessment as may be equitably charged against the same, or as by a regular mode of proceeding might have been lawfully assessed thereon.

Levy and
collection of
special
assessments.

Sec. 219. Whenever any special assessment shall be confirmed and be payable, the council may direct the supervisor to levy the sum therein mentioned upon the respective lots and premises to which they are especially assessed, and against the persons chargeable therewith as a tax in the city tax roll next thereafter to be made, in a column for special assessments, and thereupon the amounts so levied in said city tax roll shall be collected and enforced with other taxes in the city tax roll, and in the same manner; and shall continue to be a lien upon the premises assessed until paid, and when collected shall be paid into the city treasury.

Idem.

Sec. 220. When any special assessment shall be confirmed, and be payable as hereinbefore provided, the council, instead of requiring the assessments to be levied in the city tax roll, as provided in the preceding section, may direct the assessment so made in the special assessment roll to be collected directly therefrom; and thereupon the city clerk shall attach his warrant to a certified copy of said special assessment roll, therein commanding the marshal to collect from each of the

persons assessed in said roll the amount of money assessed to and set opposite his name therein; and in case any person named in said roll shall neglect or refuse to pay his assessment upon demand, then to levy and collect the same by distress and sale of the goods and chattels of such persons [person]; and that he pay the money so collected to the city treasurer, and return said roll and warrant, together with his doings thereon, within sixty days of the date of such warrant.

Sec. 221. Upon receiving said assessment roll and warrant, ^{Seizure and sale of goods by marshal.} the marshal shall proceed to collect the amounts assessed therein. If any person shall neglect or refuse to pay his assessment upon demand, the marshal shall seize and levy upon any personal property found within the city, or elsewhere within the country, [county] belonging to such person, and sell the same at public auction, first giving six days' notice of the time and place of such sale, by posting such notices in three of the most public places in the city where such property may be found. The proceeds of such sale, or so much thereof ^{Disposition of proceeds of sale.} as may be necessary for that purpose, shall be applied to the payment of the assessment, and for the cost and expenses of ^{Costs of sale.} said seizure and sale, and the surplus, if any, shall be paid to the person entitled thereto.

Sec. 222. The marshal shall pay the moneys and all the costs and expenses collected by him to the city treasurer, and file a statement thereof with the city clerk. He shall also make return of said assessment roll and warrant to the city clerk according to the requirements of the warrant, and if any of the assessment in said roll shall be returned unpaid, the marshal shall attach to his return a statement, verified by his affidavit, containing a list of the persons delinquent, and a description of the lots and premises upon which the assessments remain unpaid, and the amount unpaid on each. ^{Disposition of money by marshal and return of roll.}

Sec. 223. Said warrant may be renewed from time to time ^{Renewal of warrant.} by the city clerk, if the council shall so direct, and for such time as they shall determine, and during the time of such renewal the warrant shall have the same force, and the marshal shall perform the same duties, and make the like returns, as above

Assessments returned unpaid re-assessed.

provided. In case any assessment shall be finally returned by the marshal unpaid, as aforesaid, the same shall then be re-assessed by the supervisor, with interest included at the rate of fifteen per cent from the date of the confirmation of the assessment in the next city tax roll, and be collected and paid in all respects as provided in section two hundred and nineteen aforesaid.

Special assessments may be collected by suit.

Sec. 224. At any time after a special assessment has become payable, the same may be collected by suit in the name of the city, against the person assessed, in an action of assumpsit, in any court having jurisdiction of the amount. In every such action a declaration upon the count for money paid, shall be sufficient. The special assessment roll and a certified order or resolution confirming the same, shall be *prima facie* evidence of the regularity of all the proceedings in making the assessment, and the right of the city to recover judgment therefor.

FINANCE AND TAXATION.

Fiscal year.

Sec. 225. The fiscal year of the city shall commence on the first Monday of May in each year, unless otherwise provided by ordinance.

Authority of council to raise money by taxation.

Sec. 226. The council of the city shall have authority within the limitations herein prescribed, to raise annually, by taxation within the corporation, such a sum of money as may be necessary to defray the expenses and pay the liabilities of the city and to carry into effect the powers in this act granted. They shall not contract any debt to an amount exceeding the sum of ten thousand dollars, or sell any property belonging to the city of the value of ten thousand dollars or upwards, in any one year, without first submitting the same to a vote of the electors. *Provided, however,* that this shall not affect the provisions of sections 243, 244 and 245, and money raised for the purposes mentioned in said three last mentioned sections shall not be used or applied to any other purpose.¹

Division into general funds.

Sec. 227. The revenues raised by general tax upon all the

1. As Amended by Act 110 of the Laws of 1891.

property in the city, or by loan to be repaid by such tax, shall be divided into the following general funds:

First, Contingent fund, to defray the expenses and liabilities incurred by the city for the payment of which from some other fund, no provision is made; Contingent.

Second, Poor fund, to defray the expenses and liabilities Poor. incurred by the city for the support of the poor having a settlement in the city;

Third, Interest and sinking fund, for the payment of the Interest and sinking. public debt of the city and the interest thereon;

Fourth, Such other general funds as the council may from Other general fund. time to time constitute.¹

Sec. 228. Revenues and moneys raised by taxation in special funds. special districts of the city shall be divided into the following special funds:

First, A highway district fund for each highway district, to Highway district fund. defray the expenses of opening, widening, extending, altering and vacating streets and alleys, and for grading, curbing, graveling and otherwise improving, repairing and cleaning the streets and alleys of the city, and for the construction and repair of sidewalks and crosswalks and for the care thereof;

Second, A district sewer fund for each main sewer district, District sewer. for the payment of the costs and expenses of sewers and drainage in and chargeable to the main sewer districts, when the city shall be divided into such districts;

Third, Special assessment funds; any money raised by Special assessment. special assessment, levied in any special district, or special sewer district to defray the expenses of any work, paving or improvement, or repairs, or drainage therein, shall constitute a special fund for the purpose for which it was raised.²

Sec. 229. The aggregate amount which the council may Aggregate amount council may raise by general tax. raise by general tax upon the taxable real and personal property in the city, for the purpose of defraying the general general tax.

1. As Amended by Act 400 of the Laws of 1881.

2. As Amended by Act 400 of the Laws of 1881.

expenses and liabilities of the corporation, and for all purposes for which the several general funds mentioned in section two hundred and twenty-seven of this act are constituted, exclusive of taxes for schools and school house purposes, shall not, except as herein otherwise provided, exceed in any one year three and one-quarter per cent on the assessed value of all the real and personal property in the city made taxable by law:

*Proviso as to
street funds.*

Provided, however, That the council shall not raise by general tax upon the taxable real and personal property in the city, in any one year, for the poor fund more than one-quarter of one per cent, for the contingent fund more than one per cent, for the interest and sinking fund more than two per cent, on the assessed value of all the real and personal property in the city made taxable by law.¹

*Amount in
sewer and
special assess-
ment districts
for local im-
provements.*

Sec. 230. In addition to the above amounts the council may raise by special assessment in each highway district, sewer district, and special assessment district, for highway purposes, and for the purpose of creating and replenishing the funds provided for in section two hundred and twenty-eight of this act, and paying the same, such sum as they shall deem necessary, but not exceeding in any one year one per cent on the assessed value of the property in the highway district, and five per cent on the assessed value of the property in the sewer district, or special assessment district, as the case may be, as shown by the last preceding assessment rolls of the city.²

*Tax for use of
public sewer.*

Sec. 231. A tax or assessment of not more than two dollars per year may be levied upon each lot or premises drained by a private sewer or drain, leading into any public drain or sewer.

*Estimates of
expenditures.*

Sec. 232. It shall be the duty of the council to cause estimates to be made in the month of May in each year, of all the expenditures which will be required to be made from the several general funds of the city during the next fiscal year, for the payment of interest and debts to fall due, or for lands to be

1. As Amended by Act 400 of the Laws of 1881.
2. As Amended by Act 400 of the Laws of 1881.

acquired, buildings to be erected or repaired, for the support of the fire department, and for defraying the current expenses of the year, and for any other purpose for which any money will be required to be paid from any of the several general funds during such fiscal year.

Sec. 233. The council shall also in the same month determine the amount or part of any special assessment which they require to be levied or re-assessed in the next general tax rolls of the city upon the taxable real and personal property in the several highway districts and upon lands in any main sewer or special assessment districts, or upon any parcel of land, or against any particular person, as a special assessment.¹ Determination of special assessments.

Sec. 234. The common council shall also, on or before the second Monday in June in each year pass or adopt a resolution to be termed the annual appropriation bill, in which they shall make provisions for and appropriate the several amounts required to defray the expenditures and liabilities of the corporation for the next fiscal year, payable from the several general funds as estimated and determined upon as provided in section two hundred and twenty-seven of this act, and order the same, or so much of such amounts as may be necessary to be raised by tax with the next general tax levy, and to be paid into the several general funds; but the whole amount so ordered to be raised by tax shall not, except as herein otherwise provided, exceed the amount which the city is authorized by section two hundred and twenty-nine of this act to raise by general tax during the year. The council shall specify in such resolution the objects and purposes for which such appropriations are made, and the amount appropriated for each object or purpose, and to each of the general funds. The council shall also designate in the appropriation bill the sums, if any, required to be levied by tax in each highway district for highway purposes and the sums if any required to be levied to meet any deficiency for the current year, and the amount or part of any special assessment or other sum which they require to be levied or re-assessed with the next general tax, as mentioned

1. As Amended by Act 400 of the Laws of 1881.

in section two hundred and twenty-three of this act, and the disposition to be made of such moneys, and may designate in said bill any local improvements which they may deem advisable to make during the next fiscal year, to be paid for, in whole or in part, by special assessments and the estimated cost thereof, and shall at the same time, by resolution, levy the aggregate of the taxes mentioned in such appropriation bill, upon the taxable property within the city.¹

No money used
not in annual
appropriation.

Sec. 235. After the passage of the annual appropriation bill, no further sums shall be used, raised, or appropriated; nor shall any further liability be incurred for any purpose, to be paid from any general fund during the fiscal year for which the appropriation was made.

Idem.

Sec. 236. No expenditure shall be made, money be paid out of any general fund, except the contingent fund, for any purpose, unless appropriated for that purpose in said bill.

Moneys credited
to the funds for
which raised.

Sec. 237. All moneys and taxes raised, loaned, or appropriated for the purpose of any particular fund, shall be paid in and credited to such fund, and shall be applied to the purposes for which such moneys were raised, and received, and to none other; nor shall the moneys belonging to one fund be transferred to any other fund or be applied to any purpose for which such other fund is constituted, except when there shall be a surplus in any general fund, at the close of any fiscal year. In such case the surplus may be transferred to the sinking fund, should there be a deficiency in that fund, otherwise the council may apply such surplus as they shall deem proper. Moneys not received or appropriated for any particular fund shall be credited to the contingent fund.

How money
drawn from
treasury.

Sec. 238. No money shall be drawn from the treasury except in pursuance of the authority and appropriation of the council, and upon the warrant of the clerk countersigned by the mayor. Such warrant shall specify the fund from which it is payable, and shall be paid from no other fund.

Warrant not to
be drawn after
fund is ex-
hausted.

Sec. 239. No warrant shall be drawn upon the treasury

1. As Amended by Act 400 of the Laws of 1881.

after the fund from which it should be paid has been exhausted, nor when the liabilities outstanding and previously incurred and payable from such fund are sufficient to exhaust it.

Sec. 240. Immediately upon the close of the fiscal year the council shall audit and settle the accounts of the city treasurer and other officers of the city, and the accounts also, as far as practicable, of all persons having claims against the city, or accounts with it not previously audited; and shall make a statement in detail of the receipts and expenditures of the corporation during the preceding year, which statement shall distinctly show the amount of all taxes raised during the preceding year for all purposes, and the amount levied by special assessments, and the amount collected on each; and the amount of money borrowed, and upon what time and terms, and for what purpose; also the items and amounts received from all other sources during the year, and the objects thereof, classifying the expenditures for each purpose separately. Said statement shall also show the amount and items of all indebtedness outstanding against the city, and to whom payable, and with what rate of interest; the amount of salary or compensation paid or payable to each officer of the city for the year, and such other information as shall be necessary to a full understanding of all the financial concerns of the city.

Accounts of
officers to be
settled at close
of year.

Annual finan-
cial statement.

Sec. 241. Said statement, signed by the mayor and clerk, Statement filed with clerk and published. shall be filed in the office of the city clerk, and a copy thereof published in one of the newspapers of the city previous to the third Monday in May in the next fiscal year.

Sec. 242. If any officer of the corporation shall, directly or indirectly appropriate or convert any of the moneys, securities, evidences of value, or any property whatsoever belonging to the corporation or any board thereof, to his own use, or shall directly or indirectly and knowingly, appropriate or convert the same to any other purpose than that for which such moneys, securities, evidences of value, or property may have been appropriated, raised, or received, or to any purpose not authorized by law, he shall be deemed guilty of willful and corrupt malfeasance in office, and may be prosecuted, tried,

Appropriation
of public money
to private use
prohibited.

Penalty.

and convicted therefor, and on conviction may be punished by fine not exceeding one thousand dollars, or by imprisonment in the State prison for a period not exceeding three years, or both, in the discretion of the court.

CITY BONDS.**Authority to issue.**

Sec. 243. The common council of the city of Ypsilanti is hereby authorized to issue bonds of the city, in such sums and for such amounts as they may deem necessary, not to exceed ten per cent of the assessed valuation of the property of said city, for the purpose of constructing and repairing bridges over the Huron river, in the city, and like bonds for the purpose of a fire department of the city; said bonds shall bear a rate of interest not exceeding five per cent, and shall be payable in not more than ten years from the date thereof, and shall not be made payable in a sum to exceed five thousand dollars in any one year. Said council shall also have the power to issue bonds of the city or sewer orders in such terms and for such amounts as they may deem necessary, not exceeding the sum of five thousand dollars, which bonds or orders shall bear a rate of interest not exceeding five per cent per annum, and shall be payable in not more than four years from date thereof, for the purpose of paying the cost of constructing a sewer in any special or local sewer district, which amount shall be collected from said special or local sewer district to repay said bonds or sewer orders, with interest at a rate not exceeding five per cent per annum. It is further provided that there shall at no time be outstanding to exceed five thousand dollars of said bonds or sewer orders. And that at no time shall any bonds of said city be sold for less than par or face value.¹

Bonds to satisfy judgments against city.

Sec. 244. The common council of the city shall also have the power and authority whenever a judgment shall have been rendered against the city, and there shall not be in the hands of the treasurer to the credit of the sinking fund sufficient moneys to pay said judgment, to issue the bonds of the city in such sums and for such amounts, not exceeding the amount of such judgment, for the purpose of satisfying the same; said

1. As Amended by Act 437 of the Laws of 1897.

last mentioned bonds shall bear a rate of interest not exceeding eight per cent; and shall be payable in not more than five years from the date of said bonds. Payments of bonds.

Sec. 245. The common council may provide for the payment of the principal and interest of any outstanding legal bonds of the city at the time this act shall go into effect, by the issue of new bonds; at a rate of interest not exceeding eight per cent per annum, and for such sums each, and for such length of time as the common council shall direct; such bonds shall have attached thereto the necessary and usual interest coupons, corresponding in dates and numbers with the bonds to which they are attached. Such bonds shall be executed by the mayor and city clerk, under the seal of the city: *Provided, however,* That no such new bonds shall be issued except by a concurring vote of two-thirds of the aldermen elect. Proviso.

Sec. 246. Such new bonds may be issued in such a manner as merely to change but not to increase the indebtedness of the city. And the council shall have power to sell the same in the market at no less than par value, and place the proceeds thereof to the credit of the sinking fund, to be used and expended as provided in the next section. New bonds not to increase indebtedness.

Sec. 247. It shall be the duty of the common council, Sinking fund. when the sinking fund shall have been collected, to appropriate the same; *first*, for the payment of any judgment against the city; *second*, for the payment of any annual interest of the debts, and outstanding bonds of the city; and *third*, for the purchase or extinguishment of such outstanding bonds of the city as the common council shall direct.

Sec. 248. A record showing the dates, numbers, and amounts of all bonds issued, and when due, shall be kept by the city clerk. Record of bonds.

ASSESSMENT AND COLLECTION OF TAXES.

Sec. 249. The supervisors of said city shall, in each year, Assessment of property and duties of super-visors. make and complete an assessment of all the real and personal property within their respective districts liable to taxation under the laws of the State; and, of all the property of any

person liable to be assessed therein in the same manner and within the same time as required by law for the assessment of property in the townships of the State; and in so doing, they shall conform to the provisions of law governing the action of supervisors of townships performing like services and in all other respects within their respective districts they shall unless otherwise in this act provided, conform to the provisions of law applicable to the action and duties of supervisors in townships, in the assessment of property, the levying of taxes, and in the issuing of warrants for the collection and return thereof.

Board to review assessments, powers and duties.

Sec. 250. The supervisors of the several districts, together with the senior alderman from each ward, shall constitute a board of review of assessments. At the time appointed by law for the review of assessments made by supervisors of townships, the said board of review shall meet at the place of meeting of the common council and there proceed to review and correct the assessments made by the supervisors in the several districts; and for that purpose said board shall have the same powers and perform the same duties in all respects as supervisors of townships in reviewing and correcting assessments made by them. Said board shall continue in session one day, for the purpose of completing such review. Notice of the time and place of the meeting of said board for the purpose aforesaid shall be given by the city clerk by publication in one of the newspapers of the city, at least one week before the time for [the] review.¹

Notice of time of meeting.

Board to certify corrected assessment roll.

Sec. 251. When the board shall have reviewed and corrected the assessment rolls of the several districts, they shall, in addition to the certificate required to be made by the supervisor, add their own certificate to each roll, signed by at least a majority of them, showing that they have reviewed the roll. The board of review shall have authority to equalize, alter, amend and correct any assessment or valuation, or description, and to place upon the assessment roll of the proper district any taxable property, real or personal, not

Further power board

1. As Amended by Act 110 of the Laws of 1891.

already assessed, held or owned by any person or persons, and to strike from said roll any property wrongfully thereon. The concurrence of a majority of the board shall be sufficient to decide any question in altering or correcting any assessment or description,

Sec. 252. When such assessment rolls shall be completed ^{Supervisor to make copy of roll.} they shall be delivered to the respective supervisors, who shall immediately proceed to make therefrom a full and complete copy of the assessment roll for their respective districts as corrected and revised, which shall be deemed the general assessment roll of the city for that year, for their respective districts, and which shall be used for State, county, city and school taxes, and such other taxes and assessments as herein-after directed.¹

Sec. 253. It is hereby made the duty of the supervisors to ^{Apportionment of taxes to districts.} apportion the city tax to the two judicial districts, as equal- sized by the board of review, for such year.

Sec. 254. The supervisors shall, immediately after making ^{Special assess- ment rolls.} the copy of the rolls mentioned in section two hundred and fifty-two of this act, make another copy of the rolls for their respective districts, as corrected and equalized by the board of review, and which shall be deemed the special assessment roll of the city for their respective districts for that year, and shall assess therein the city taxes that have been levied by the council for the year upon the taxable property of the city, according and in proportion to the individual and particular estimate and valuation, as specified in the revised assessment rolls of the city for that year, and shall, on or before the first Monday in July in each year, deliver to the city treasurer their special assessment roll of the city, with the taxes for the general funds of the city for the year annexed to and carried out in a column thereof, and if there be other taxes assessed than for said general funds, they shall be carried out in separate columns, and all special assessments required by the common council, or the provisions of this act, to be assessed in such rolls against any description of land shall be carried out in

1. As Amended by Act 400 of the Laws of 1881.

separate columns thereof; and the total amount of taxes and assessments shall be carried out in the last column of such rolls.

Supervisor to attach warrant to roll.

Sec. 255. Before the supervisors of said city shall deliver to the treasurer their several special assessment rolls for the city, as mentioned in the preceding section, each supervisor shall attach to the roll for his respective district a warrant under his hand, commanding the marshal within thirty days from the first day of August in said year, to collect from the persons named in said roll the several sums set opposite their respective names, and pay the same to the city treasurer, to the credit of the several funds for which the tax was levied, or the assessment made; and the said warrant shall authorize the city marshal, in case any person named in the assessment roll shall neglect or refuse to pay his tax, to levy the same by distress of the goods and chattels of such persons [person], which said warrant shall confer upon the marshal the same powers and authority for the collection of taxes as the warrant of the supervisors of townships confer upon the township treasurer; and when such special assessment rolls for the city are delivered to the city treasurer as aforesaid, he shall notify the tax payers of the city by publishing such notification in a newspaper published in the city for at least one week, and after such notification it shall be the duty of each and every person against whom taxes are assessed to pay the same at the office of the city treasurer.

Notice to tax payers.

When assessment delivered to marshal.

Marshal's bond.

Sec. 256. Said assessment roll shall remain in the hands of the city treasurer until the first day of August in said year, on which day he shall deliver the same to the marshal, who shall proceed to collect the taxes unpaid therein, adding thereto the sum of five per cent for expenses of collection. While said assessment roll shall remain in the hands of the treasurer any person may pay his taxes without percentage. Such assessments [assessment] roll shall not be delivered to the marshal until he has filed with the city clerk a bond for the faithful performance of his duties as marshal, in such amount and with such securities as shall be approved by the common council, and with a condition to pay to the treasurer all

moneys collected by him within forty-eight hours after he shall receive the same.

Sec. 257. When the marshal shall have levied upon any personal property for the non-payment of any tax or assessment in this act provided, he shall proceed to advertise and sell the same, in the same manner, and upon like notice, as required by law in the levy and sale of personal property for non-payment of taxes by township treasurers.

Sec. 258. The taxes so levied for city and highway purposes shall be and remain a lien upon the property on which the same was levied, in like cases, and to the same extent as taxes required by law to be levied on property in the several townships in this State are liens upon property. And within thirty days after the expiration of the time named for the collection of such taxes in section two hundred and fifty-five, the treasurer shall return a list of all such unpaid taxes to the common council, and the common council shall direct the supervisors to carry into their next assessment rolls for State, county and school purposes all such delinquent taxes so returned in their respective districts, with a penalty of ten cents on each dollar of the sum total of taxes assessed to each particular description of land, or assessment on personal property, and which penalty shall be carried out opposite to each such particular description of land in a column provided for that purpose, and all provisions of the law respecting the return and sale of property for the non-payment of taxes for State, county and township purposes shall apply to the return and sale of property for the next non-payment of such city and highway taxes, except as herein otherwise provided.¹

Sec. 259. It shall be the duty of the city clerk, on or before the second Monday of June in each year, to certify to the proper supervisor the amount to be raised for local improvements and the persons liable to be taxed therefor, and also to certify the amount to be raised by tax for city and highway purposes; and it shall also be his duty, on or before the first day of October in each year, to certify to the super-

1. As Amended by Act 400 of the Laws of 1881.

Proceedings of
marshal when
personal prop-
erty is levied on

Taxes a lien on
property.

Treasurer to
return list of
unpaid taxes to
common council

Provisions of
law applicable.

Clerk to certify
amount for local
improvements,
etc., to super-
visor.

visor of each district for assessment therein all amounts which the council require to be assessed or re-assessed in any district, drain or special sewer district, or other special district assessment, or upon any parcel of land, or against any particular person as a special assessment, or as the delinquent taxes mentioned in section two hundred and fifty-eight in this act, or otherwise within this district, together with a designation of the districts, or description of the land or person upon which or within which the several sums are to be assessed or re-assessed, with such further description as will enable the supervisors to assess the several amounts upon the property and persons chargeable therewith.¹

County clerk to apportion certain taxes. Sec. 260. The county clerk, as clerk of the board of supervisors of the county, shall apportion the amount to be raised for State and county taxes among the two districts in the city, according to the valuation of the property appearing upon the general assessment rolls of said district of the city for such year, and to certify to the supervisors of the several districts, for assessment therein, the amounts apportioned to their respective districts, within five days after the board of supervisors of the county shall have completed the equalization of the value of the property in said districts for the year.²

Certify to supervisors. **Levy of tax by supervisors.** Sec. 261. Each supervisor, at the time of levying State and county taxes in his district for the year, shall levy in the roll for State and county taxes, upon all the taxable property in the district, the amounts certified to him by the clerk of the board of supervisors, as provided in section two hundred and sixty of this act, to be raised for State, county, school and library purposes, placing the school, library, two-mill, and school-house taxes in one column; and he shall also levy in the same roll upon the lands, property, and persons chargeable therewith, all special assessments, and delinquent city taxes in his district, and sums reported to him by the city clerk as provided in the same section for assessment or re-assessment, in districts, main or special sewer districts, or for

1. As Amended by Act 400 of the Laws of 1881.
2. As Amended by Act 400 of the Laws of 1881.

other special assessments, placing the same in separate columns, and shall place the State and county taxes in other columns. The amount of the several taxes so levied upon each valuation shall be carried into another column, and a collection fee of five per cent on the tax entered in another column, and the aggregate of taxes and fees shall be carried into the last column of the roll.

Sec. 262. The supervisors, upon completing their rolls, shall certify to the city treasurer the amounts levied in their respective rolls for State and county purposes, and for collection fees, and to the city clerk the amounts levied therein for city, highway and school taxes, special assessments and other purposes. The city treasurer shall give bonds to the county treasurer in the same manner as township treasurers are required to do; and thereupon, and on or before the first Monday in December, the several supervisors shall deliver certified copies of the general tax-rolls of the city, with the taxes extended therein as aforesaid, to the city treasurer, with their warrants for the collection of the taxes therein annexed thereto.¹

What Supervisors shall certify to treasurer and clerk.

Treasurer's bond.

Certified copies of rolls to be delivered to treasurer.

Sec. 263. The warrants annexed to each roll shall state the several amounts levied therein to be paid into the city and county treasuries respectively, and shall command the city marshal to collect from the several persons named in said roll, the several sums named in the last column thereof opposite to their respective names, remitting upon all taxes paid before the first day of January next thereafter, the percentage added for collection fees, and pay over and account for all moneys collected, and specified in the roll as in said warrant directed, on or before the first day of February then next; and the warrant shall authorize the marshal, in case any person shall neglect to pay his tax, to levy the same by distress and sale of the goods and chattels of such person.

What warrant to state.

Sec. 264. All taxes levied upon any district tax rolls shall be and remain a lien upon the lands upon which they are levied until paid.

Tax a lien on land.

1. As Amended by Act 400 of the Laws of 1881.

Notice by
treasurer.

Sec. 265. Upon receiving the several district tax rolls as above provided, the city treasurer shall give notice immediately to the tax-payers of the city that such rolls have been delivered to him, and that the taxes therein levied can be paid to him, at his office, at any time before the first day of January next, without any charge for collection; but that five per cent collection fees will be charged and collected upon all taxes remaining unpaid on said first day of January. Said notice

How given.

shall be given by publishing the same one week in one of the newspapers of the city; and it shall be the duty of the treasurer to be at his office at such times previous to the said first day of January as the council shall direct, and there receive payment of such taxes as may be offered to him. He shall remit the collection fees upon all taxes paid to him before the said first day of January; but in all other cases the marshal shall collect both the tax and the percentage for collection added in the roll. All such percentage for fees collected shall be paid in to the city treasurer, to the credit of the general fund, and the treasurer's receipt therefor shall be taken and filed with the city clerk, who shall charge the treasurer with the amount thereof.

Collection of
taxes unpaid to
treasurer.

Sec. 266. For the collection of all taxes remaining unpaid on the first day of January, the city marshal shall proceed in the same manner as township treasurers are required by law to do for the collection of taxes in townships, and shall for that purpose have all the powers and authority conferred by law upon township treasurers for such purpose, and shall, when necessary, enforce the payment of the tax against any person by distress and sale of his goods and chattels, if any such can be found anywhere within the county.

New warrants.

Sec. 267. The county treasurer may issue new warrants to the city marshal for the collection of taxes in the same manner and in the same cases, and with the same effect, as such new warrant may be issued to township treasurers. The city marshal may, and it shall be his duty to proceed by suit in the name of the city, for the collection of unpaid taxes in the same cases, and under like circumstances in which township treasurers are authorized to proceed in that manner; and all

the provisions of law applicable to suits and evidence therein brought by township treasurers in the name of their township for such purpose [purposes], shall apply to suits brought by the city marshal as aforesaid.

Sec. 268. For the purpose of assessing and levying taxes in the city, for State, county, school, and library purposes, each judicial district shall be considered the same as a township, and all provisions of law relative to the collection of taxes levied in townships shall apply to the collection of taxes levied and assessed by the supervisors in the city, except as herein otherwise provided. For the purpose of collecting taxes, and returning property for non-payment thereof, the city marshal shall perform the same duties and have the same powers as township treasurers, except as herein otherwise provided.

Sec. 269. The marshal shall pay to the city treasurer all moneys by him collected within forty-eight hours after he shall receive the same, and shall take the treasurer's receipt therefor, showing the amounts paid for city, highway, school and special assessment taxes respectively, and file the same with the city clerk, and the city clerk shall charge the amount of all such taxes to the city treasurer.¹

Sec. 270. The treasurer shall within one week after the time for that purpose specified and directed in said warrants, pay to the county treasurer the sums required in said warrants to be so paid, either in delinquent taxes, or in funds then receivable by law, and all lands upon which any unpaid tax shall be returned, shall be sold therefor the same as lands returned for delinquent taxes by township treasurers.

Sec. 271. All the provisions of law respecting delinquent taxes levied in townships shall apply to all taxes levied in the city, except as herein otherwise provided, and be returned as delinquent to the county treasurer; and the city in respect to taxes levied and returned to the county treasurer as delinquent shall, except as herein otherwise provided, be considered and

1. As Amended by Act 110 of the Laws of 1891.

treated as a township; and all the provisions of law for the sale of lands for the payment of taxes levied for State, county and township purposes, and returned delinquent, shall apply to the return and sale of property for the non-payment of delinquent taxes levied in the city, except as herein otherwise provided.

General power
of council as to
taxes.

Sec. 272. The council shall have power and authority to make and establish all the necessary by-laws for the collection of said taxes and assessments. Every local, special, or general assessment or tax lawfully imposed by said common council on any lands, tenements, hereditaments, or premises whatever in the city, shall be and remain a lien on such lands, tenements, hereditaments, and premises, from the time of imposing such tax or assessment until paid, and the owner or occupants, or parties interested respectively in said real estate shall be liable on demand to pay every such tax and assessment to be levied as aforesaid.

FIRE DEPARTMENT.

Establishment
and mainten-
ance of.

Sec. 273. The common council of said city shall have power to enact such ordinances and establish and enforce such regulations as they shall deem necessary to guard against the occurrence of fires, and to protect the property and persons of the citizens against damage and accident resulting therefrom; and for this purpose to establish and maintain a fire department; to organize and maintain fire companies; to employ and appoint firemen; to make and establish rules and regulations for the government of the department, the employes, firemen, and officers thereof, and for the care and management of the engines, apparatus, property and buildings pertaining to the department, and prescribing the powers and duties of such employes, firemen and officers.

Fire engines,
reservoirs, etc.

Sec. 274. The council may purchase and provide suitable fire engines and such other apparatus, instruments, and means for the use of the department as may be deemed necessary for the extinguishment of fires; and may sink wells and construct cisterns and reservoirs in the streets, public grounds, and other

suitable places in the city, and make all necessary provisions for a convenient supply of water for the use of the department.

Sec. 275. The council may also provide, or erect, all ^{Engine houses etc.} suitable buildings for keeping the engines, carriages, teams and fire apparatus of the department.

Sec. 276. The common council may appoint a chief ^{Chief engineer duties, etc.} engineer of the fire department, who, subject to the direction of the mayor, shall have the supervision and direction of the department, and the care and management of the fire engines, apparatus, and property, subject to such rules and regulations as the council may prescribe. And the council may appoint ^{Assistant engineers.} such assistant engineers and other officers of the department as may be necessary.

Sec. 277. The chief engineer, mayor, city marshal, and any ^{Authority to command assistance at fires.} alderman or officer of the fire department may command any person present at a fire to aid in the extinguishment thereof, and to assist in the protection of property thereat. If any person shall willfully disobey any such lawful requirement or other lawful order and direction of any such officer, the officer giving the order may arrest or direct any policeman or citizen to arrest such person and confine him temporarily until the fire shall be extinguished, and in addition thereto he shall be punished in such manner as may be prescribed by the ordinances of the city.

Sec. 278. The council may provide by ordinance for the ^{Fire warden's duties.} appointment of, and may appoint, such number of fire wardens as may be deemed necessary, and for the examination by them, from time to time, of the stoves, furnaces, and heating apparatus and devices in or near all the dwellings, buildings, and structures within the city, and in all places where combustible or explosive substances are kept, and to cause all such as are unsafe with respect to fire, to be put in a safe condition.

Sec. 279. The council may prescribe by ordinance from ^{Fire limits.} time to time limits or districts within which wooden buildings and structures shall not be erected, placed or enlarged, and to direct the manner of constructing buildings within such

districts, with respect to protection against fire, and the materials of which the outer walls and roofs shall be constructed.

Location of lumber yards, etc.

Sec. 280. The council may also prohibit, within such places or districts as they shall deem expedient, the location of shops, the prosecution of any trade or business, the keeping of lumber yards, and the storing of lumber, wood, or other easily inflammable material, in open places, when in the opinion of the council the danger from fire is thereby increased. They may regulate the storing of gunpowder, oils, and other combustible and explosive substances, and the use of lights in buildings, and generally may pass and enforce such ordinances and regulations as they may deem necessary for the prevention and suppression of fires.

Buildings erected in violation of ordinances a nuisance.

Sec. 281. Every building or structure which may be erected, placed, enlarged, or kept, in violation of any ordinance or regulation made for the prevention of fires, is hereby declared to be a nuisance, and may be abated or removed by the direction of the council.

Compensation of firemen.

Sec. 282. The officers, firemen, and employes of the department shall receive such compensation as the council may prescribe, and during their terms of service shall be exempt from serving on juries.

Power to pull down buildings.

Sec. 283. The engineer in charge of the department at any fire, with the concurrence of the mayor or any two aldermen, may cause any building to be pulled down or destroyed, when deemed necessary, in order to arrest the progress of the fire, and no action shall be maintained against any person or against the city therefor.

MISCELLANEOUS.

Service of process.

Sec. 284. All process against the city shall run against the same in the corporate name thereof, and may be served by leaving a certified copy with the mayor or city clerk.

Acts repealed.

Sec. 285. All acts or parts of acts contravening the provisions of this act, or inconsistent herewith, are hereby repealed: *Provided*, That this act shall not invalidate any

Proviso.

legal act done by the mayor, city clerk, and aldermen of the city of Ypsilanti, or by the common council, or any officer of said city. All ordinances, by-laws, regulations, resolutions, and rules of the common council of the city of Ypsilanti, now in force, and not inconsistent with this act, shall remain in force until altered, amended, or repealed by the common council under this act, and after the same shall take effect. All property, real and personal, and rights of property in law, or in equity, and all debts, fines, penalties, forfeitures, rights, and causes of action, which belong, have accrued, or may accrue, to the city of Ypsilanti, shall be fully and absolutely vested in the said city, to be held subject to the provisions hereof, and may be prosecuted for, recovered, claimed and maintained by said city of Ypsilanti, in its own name or in any other lawful manner, and all officers now holding office in said city shall hold the same for the time for which they were elected, unless sooner removed for cause as herein provided. All writs, prosecutions, actions and causes of action, now in suit or instituted by or against, or in behalf of the city of Ypsilanti, shall continue and may be prosecuted to the end thereof, to the same effect as if this act had not been passed; and said city of Ypsilanti shall pay and discharge all the debts, obligations, contracts, and liabilities of the city.

Sec. 286. This act shall take immediate effect.

Approved May 5, 1877.

REVISED ORDINANCES

OF THE

CITY OF YPSILANTI

**Printed by Authority of the Common Council
of the City of Ypsilanti.**

1898.

ORDINANCES

OF THE

CITY OF YPSILANTI.

No. 1.

AN ORDINANCE TO DEFINE THE BOUNDARIES AND LINES OF HURON STREET FROM CROSS STREET SOUTH TO AN ALLEY BETWEEN LOTS 328 AND 329.

The Common Council of the City of Ypsilanti ordain:

Section 1. That the lines of Huron street, from Cross street south to an alley between lots 328 and 329 be, and the same are hereby established pursuant to a survey and plan thereof made by C. S. Woodard, April fifteenth, 1859, and which plan and survey are now on file in the office of the city clerk; and said lines, as established by said plan and survey, shall hereafter be deemed fixed and established pursuant to said survey, as designated by the red lines on said plat.

Made and passed by the common council of the city of Ypsilanti, this twentieth day of April, A. D. 1859.

C. JOSLIN, Mayor.

JOHN McCREADY, Clerk.

No. 2.**AN ORDINANCE TO VACATE AN ALLEY AND CERTAIN LOTS
IN HUNTER'S ADDITION TO THE VILLAGE OF YPSILANTI,**

The Common Council of the City of Ypsilanti ordain :

Section 1. That an alley beginning on the east line of and between lots 50 and 51, of Hunter's addition to the village of Ypsilanti, and running thence west to the Michigan Central Railroad land, and lots 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, in said addition, be, and the same is hereby vacated.

Made and passed in common council, at the city of Ypsilanti, this twenty-ninth day of April, A. D. 1859.

C. JOSLIN, Mayor.

JOHN McCREADY, Clerk.

No. 3.**AN ORDINANCE TO REGULATE RUNNERS, PEDDLERS, DRAYMEN,
ETC., ON THE RAILROAD PREMISES.**

The Common Council of the City of Ypsilanti ordain :

Section 1. That no person shall peddle or expose for sale any candy, fruit, or vegetables, or other article of traffic or merchandise, in any depot, passenger house, freight house, or railroad car, nor upon any premises owned or occupied by the railroad company in the corporate limits of the city of Ypsilanti, without the written permit of the superintendent of said railroad company, or the station agent of the same; and any person offending against the foregoing provision shall, on conviction thereof before any justice of the peace of said city, pay a fine of not less than one nor more than five dollars for each offence for which he may be so convicted.

Sec. 2. Any person who shall be boisterous or quarrelsome or who shall make any noisy disturbance upon any premises of the railroad company within the limits of said city, and who shall refuse or neglect to leave the premises or grounds of the railroad company, or to cease such noise or disturbance forthwith, when requested by the station agent of said company, shall be liable to pay a fine, on conviction thereof before any justice of the peace of said city, of not less than one nor more than five dollars.

Sec. 3. It shall not be lawful for any hotel runner, huck-man, drayman, or any other person to solicit custom for any hotel, hack, dray, or livery, upon any of the grounds, or within any building, railroad car, or premises of the railroad company, within the limits of said city, except at such places as shall be designated by the station agent of said company; and any person who shall offend against the aforesaid provisions of this section shall, on conviction thereof before any justice of the peace of said city, pay a fine of not less than one nor more than five dollars; *Provided, however,* That no complaint shall be made for any such offense by any person other than the station agent of said railroad company.

Sec. 4. It shall not be lawful for any boy or boys to get on any railroad train, car or locomotive, for the purpose of riding and jumping off, or riding from one point to another, within the limits of said city; nor to get on to the steps or platform of any passenger train standing within the limits of said city (unless for the purpose of taking passage on such train); and any boy or boys offending against the foregoing provisions shall, on conviction thereof, on complaint of the station agent, before any justice of the peace of said city, pay a fine of not less than one nor more than five dollars.

Sec. 5. It shall be lawful for the marshal or any constable of said city, whenever called upon by the station agent of the railroad company in said city, to arrest any person or persons offending against the provisions of any section of this ordinance, and to take such person forthwith before some justice of the peace of said city, to be dealt with according to law; and

if the said station agent shall fail or neglect, for one hour after notice of such arrest, to appear before such justice of the peace, and prosecute such complaint or arrest, the person or persons so arrested shall be forthwith discharged.

Sec. 6. If any person convicted as aforesaid for offending against the provisions of this ordinance, shall fail to pay any fine imposed by the court pursuant to the provisions of this ordinance, within such time as the court may direct, the said court before whom such conviction was had, may commit such person to the city lock-up until such fine is paid, not exceeding five days; and any person so convicted as aforesaid, shall be discharged from said lock-up upon payment of such fine, together with the costs of imprisonment.

Sec. 7. All fines collected by any justice of the peace, or other officer, pursuant to the provisions of this ordinance, shall be paid to the city treasurer within five days thereafter; and if any officer shall neglect to pay over as aforesaid any fine for a longer period than five days, he shall, on conviction thereof, be liable to a fine of not less than five nor more than twenty-five dollars.

Made and passed in common council at the city of Ypsilanti this twenty-sixth day of August, A. D. 1861.

P. DAVIS, Mayor.

JOHN McCREADY, Clerk.

No. 4.

The Common Council of the City of Ypsilanti ordain:

That an alley commencing ten rods north of Pearl street, on the west side of Stuck street, and running from thence, west, parallel with said Pearl street, to the west side of Stuck's



addition, be and the same is hereby vacated; and that said alley is hereby laid out and established one rod farther south and on the north end of lots 6, 7, 8, 9, 10, 11, 12, 13, in said Stuck's addition to said city of Ypsilanti.

Made and passed by the common council of the city of Ypsilanti, this nineteenth day of April, A. D. 1869.

PARMENIO DAVIS, Mayor.

J. WILLARD BABBITT, Clerk.

No. 5.

AN ORDINANCE TO PUNISH DRUNKENNESS.

The Common Council of the City of Ypsilanti ordain :

Section 1. That any person who shall be drunk or intoxicated in any hotel, inn, saloon, or place of public business, or in any assemblage of people collected together in any place for any purpose, or in any street, lane, alley or highway within the corporate limits of the said city of Ypsilanti, shall, on conviction thereof, be punished by a fine not exceeding twenty-five dollars and the costs of prosecution, and on failing to pay the fine imposed forthwith, shall be imprisoned in the county jail of Washtenaw county or in the Detroit house of correction for a term not exceeding ninety days.

Sec. 2. It shall be the duty of the marshal and constables of the said city of Ypsilanti, whenever they shall find any person so drunk or intoxicated, forthwith to arrest such person and bring him before any justice of the peace of said city of Ypsilanti, to be dealt with according to the provisions of this ordinance.

Sec. 3. This ordinance shall be published by the city clerk one week in the Ypsilanti Sentinel, and the Ypsilanti Com-

mmercial, weekly newspapers published in the said city of Ypsilanti.

Made and passed in common council, at the city of Ypsilanti, this twenty-sixth day of January, A. D. 1874.

WATSON SNYDER, Mayor.

CHARLES M. WOODRUFF, City Clerk.

No. 6.

AN ORDINANCE RELATIVE TO THE FEES OF THE JUSTICE OF THE PEACE, OF THE CONSTABLES, WHEN ENGAGED IN CASES FOR THE VIOLATION OF THE ORDINANCES OF THE SAID CITY OF YPSILANTI.

The Common Council of the City of Ypsilanti ordain :

Section 1. For the services mentioned in this ordinance, hereafter done or performed, by the officers hereafter named when engaged in cases for the violation of the ordinances of the said city of Ypsilanti, the fees hereinafter prescribed shall be allowed.

FEES OF JUSTICES OF THE PEACE.

Sec. 2. The fees of the justices of the peace of the city of Ypsilanti when engaged in cases for the violation of the ordinances of said city, for any services herein specified to be rendered by them respectively, shall be as follows, namely : For a summons, warrant, or venire, fifteen cents; for trying each cause, one dollar for the first day, and for each additional day the sum of one dollar; for entering any cause upon the docket after return of process, twenty-five cents; for making all other entries upon the docket in any cause not otherwise provided for, twenty-five cents; for each subpœna, not exceed-

ing four, ten cents; for swearing a jury, ten cents; for swearing each witness in a cause, ten cents; for entering every final judgment, twenty-five cents; for every continuance or adjournment at the request of the party, fifteen cents; for drafting any bond or recognizance requisite in any case arising under the ordinances of said city before a justice of the peace, thirty-five cents; for approving any bond or recognizance, ten cents; for reducing to writing the evidence, objections to evidence, and exceptions taken by either party, upon the trial of any cause, ten cents for each folio; for making and filing return upon appeal, one dollar; for taking depositions or confessions, ten cents for each folio; for entering a discontinuance or satisfaction, ten cents; for making returns on special appeal or certiorari, two dollars; and no justice of the peace of the said city of Ypsilanti shall receive any other fees or compensation for any services rendered in any cause arising under the ordinances of the said city, than such as are hereinbefore provided.

FEES OF CONSTABLES.

Sec. 3. For serving a warrant, fifty cents; for serving a summons, twenty-five cents; for a copy of every summons delivered on request, ten cents; for serving a subpœna, fifteen cents for service upon each witness summoned by him; for serving an execution on the body, or goods and chattels of the defendant, fifty cents; for committing a defendant to prison on execution, fifty cents; for traveling in the service of process, ten cents for each mile necessarily traveled from the place of service to the place of return; for summoning a jury, seventy-five cents; attending upon a jury, fifty cents; for collecting and paying over money on executions, four per cent upon the sums collected; advertising sale of property, fifty cents; for selling property, fifty cents; for making arrests without process, under ordinance to prevent drunkenness, fifty cents; for making arrest without process, in all other cases, fifty cents; for every commitment to city lock-up, twenty-five cents; and no constable of the said city of Ypsilanti shall receive any other compensation for any services rendered in any cause

arising under the ordinances of said city than such as are herein prescribed.

Sec. 4. This ordinance shall be published one week in the Ypsilanti Sentinel and the Ypsilanti Commercial, weekly newspapers published in the said city of Ypsilanti.

Made and passed in common council at the city of Ypsilanti, on the fourth day of May, A. D. 1874.

WATSON SNYDER, Mayor.

CHARLES M. WOODRUFF, City Clerk.

No. 7.

AN ORDINANCE RELATIVE TO SIDEWALKS AND GUTTERS.

The Common Council of the City of Ypsilanti ordain :

Section 1. That it shall be the duty of the owner or occupant of any lot or parcel of land in said city to keep the sidewalk adjoining his lot or parcel of land in good repair.

Sec. 2. It shall be the duty of the owner or occupant of any lot or parcel of land in said city to keep the gutter adjoining his lot or parcel of land free from all grass, weeds, or other obstruction to the free passage of water.

Sec. 3. In case any sidewalk shall become broken, or out of repair, or any obstruction shall have accumulated in any gutter, it shall be the duty of the city marshal to notify either of the aldermen of the ward in which said sidewalk or gutter is located, and such alderman and city marshal shall forthwith notify the owner or occupant of the land adjoining such sidewalk or gutter to cause the same to be repaired or cleaned within two days after the service of said notice.

Sec. 4. A notice signed by one of the aldermen of the ward where such sidewalk or gutter is located, and the city marshal, and directed to the owner or occupant of the land adjoining such sidewalk or gutter, and containing a brief statement of the object of such notice, shall be deemed sufficient legal notice under the provisions of this ordinance.

Sec. 5. If any person, after having been notified as herein provided, shall neglect or refuse to cause the sidewalk adjoining his premises to be repaired, or the gutter to be cleaned for two days after the service of the said notice, then it shall be the duty of the city marshal to cause the same to be done at the expense of said city, and shall report the cost of the same to the common council of said city, and the common council shall add such expense (not exceeding ten dollars on any lot or piece of land in any year) to the amount of the general tax on said land in the next general assessment rolls of said city.

Made and passed in common council this twenty-ninth day of May, A. D. 1876.

LAMBERT A. BARNES, Mayor.

FRANK JOSLIN, City Clerk.

No. 8.

ORDINANCE RELATIVE TO THE SALE OF WOOD.*

The Common Council of the City of Ypsilanti ordain:

Section 1. That it shall not be lawful for any person or persons to sell or expose for sale any wood, hay, straw, or corn-stalks, in any quantity, at any time, in any public street, lane, alley, or other public place whatever, within the limits of the

* As Amended by the Common Council December 18, 1893.

city of Ypsilanti, except upon the wood market established by the common council of said city.

Sec. 2. The city marshal, under the control of the common council of said city, shall have the care and superintendence of said market, and it shall be his duty to enter complaints for any violation of this ordinance.

Sec. 3. The wood market shall be kept open every day, (Sunday excepted), from daylight till nine o'clock in the afternoon of each day.

Sec. 4. Any person violating any provision of this ordinance shall be punished by a fine not exceeding ten dollars, and on failing forthwith to pay the fine imposed, shall be imprisoned in the jail of Washtenaw county for a term not exceeding ten days.

Made and passed in common council this 18th day of December, 1893. To take effect Jan. 1st, 1894.

H. R. SCOVILL, Mayor.

EMMA J. GARDNER, Deputy Clerk.

No. 9.

AN ORDINANCE TO PREVENT VICE AND IMMORALITY.

The Common Council of the City of Ypsilanti ordain :

Section 1. That no retail dealer of spirituous and intoxicating liquors, or of brewed, malt and fermented liquors, within the limits of the city of Ypsilanti, shall employ in his saloon, bar, or place of business, any female, excepting his wife or daughter, as clerk, servant, agent or waiter, or shall suffer any female, excepting as aforesaid, to wait upon his customers, or assist in any manner in the sale of such liquors.

Sec. 2. No proprietor of any saloon, bar or place where spirituous and intoxicating liquors, or brewed, malt and fer-

mented liquors are sold at retail, within the limits of said city, shall suffer any female to be present at, or take part in any game, sport, diversion, theatricals, entertainments, minstrel show, or varieties, had or held in his saloon, bar or place where such liquors are sold, or shall suffer any female, excepting his wife or daughter, to act as servant, or waiter in any room, saloon, bar or place where such liquors are sold.

Sec. 3. No female, excepting the wife or daughter of the proprietor, shall act as clerk, servant, agent or waiter, or take part in any game, sport, diversion, theatricals, entertainments, minstrel show, or varieties, at any place in the city of Ypsilanti, where spirituous, malt or fermented liquors are sold.

Sec. 4. Any person violating any provision of this ordinance, shall be punished by a fine of twenty-five dollars, to be imposed by the justice of the peace trying the offender. And on failing to pay said fine forthwith, shall be imprisoned in the Detroit house of correction for the term of ninety days.

Sec. 5. This ordinance shall be published by the city clerk one week in the Ypsilanti Commercial.

Made and passed in common council at Ypsilanti, this fifteenth day of January, A. D. 1877.

LAMBERT A. BARNES, Mayor.

FRANK JOSLIN, City Clerk.

No. 10.

AN ORDINANCE TO PROVIDE FOR REMOVING SNOW AND ICE FROM SIDEWALKS.

The Common Council of the City of Ypsilanti ordain :

Section 1. All resident owners of, or the occupant of, any lot or premises in the city of Ypsilanti, shall remove or cause-

to be removed from the sidewalks in front of, or adjacent to, such lot or premises, before nine o'clock in the forenoon of each day, all snow or ice that may have fallen or accumulated on such walk during the twenty-four hours immediately preceding.

Sec. 2. Any person violating the preceding section of this ordinance, shall upon conviction, be punished by a fine of five dollars, together with the costs of prosecution. And on failing to pay such fine, and the costs of prosecution, may be imprisoned in the county jail of the county of Washtenaw, for the period of five days, unless such fine and the costs of prosecution be sooner paid.

Sec. 3. It is hereby made the duty of the city marshal to make complaint for offenses against the provisions of this ordinance. Any persons other than the officers of the city, may make such complaint, providing that such person shall file security for the payment of the costs of the prosecution in case the defendant is acquitted.

Sec. 4. In case the owner or occupant of any lot or premises in said city shall neglect to remove any accumulation of snow or ice from the sidewalk in front of or adjacent to such lot or premises within the time prescribed in section one of this ordinance, then, immediately after the expiration of such time, the city marshal shall cause the same to be removed and keep an accurate account of the expense of the same. The amount of all expenses incurred by the city marshal thereby, with ten per cent added, shall be levied as a special assessment upon the lot or premises adjacent to or abutting upon such sidewalk, and the supervisor of the proper district shall assess such amount upon the property chargeable therewith in the next special assessment roll.

Sec. 5. It shall be the duty of the city marshal to keep all sidewalks adjoining the property of the city, the footwalks across the bridges on Congress street, Cross street and Forest avenue, and all crossings from the outer lines of the streets to

the usual beaten carriage way, clear of all snow and ice, and to keep a just and accurate account of the expense of the same.

Sec. 6. This ordinance shall take effect after the expiration of fifteen days from and after its passage.

Sec. 7. This ordinance shall be published once in the Ypsilanti Sentinel, and once in the Ypsilanti Commercial, weekly newspapers, printed and circulated within said city.

Made and passed in common council this third day of December, A. D. 1877.

Approved December 4th, 1877.

Attest: L. A. Barnes, Mayor.

Frank Joslin, City Clerk.

No. 11.

AN ORDINANCE RELATIVE TO THROWING STONES, SNOWBALLS, PIECES OF WOOD, AND OTHER SOLID SUBSTANCES.

The Common Council of the City of Ypsilanti ordain:

Section 1. No person shall, in any public street or alley, or in any public ground or place in said city, throw or hurl at or towards any building, window, public or private street lamp, or at or toward any person, animal or thing, any ball of snow, a mass of snow packed together, or any piece of ice, or any stone, or any piece or block of wood, or any solid substance whatever.

Sec. 2. Any person violating the provisions of this ordinance shall, upon conviction, be punished by a fine of not less than one dollar, nor more than five dollars, together with the costs of prosecution, and on failing to pay such fine and the

costs of prosecution, may be imprisoned in the county jail of the county of Washtenaw for a term of not less than three nor more than thirty days, unless such fine and the costs of prosecution be sooner paid.

Sec. 3. This ordinance shall take effect after the expiration of fifteen days from and after its passage.

Sec. 4. This ordinance shall be published once in the Ypsilanti Sentinel, and once in the Ypsilanti Commercial, weekly newspapers printed and circulated within said city.

Made and passed in common council, this third day of December, A. D. 1877.

Approved December 4, 1877.

Attest: L. A. BARNES, Mayor.
FRANK JOSLIN, City Clerk.

No. 12.

AN ORDINANCE RELATIVE TO THE POWERS AND DUTIES OF FIRE WARDENS, AND FOR THE PREVENTION OF FIRES.

The Common Council of the City of Ypsilanti ordain:

Section 1. The fire wardens of the respective districts shall notice and make complaint of any violation of the laws and ordinances made for the protection of the city from fires, in their own districts particularly, and in the city generally, and shall severally report the state and police of their respective districts, as respects danger from exposure to fires, on the first Mondays of June and December in each year.

Sec. 2. It shall be the duties of the fire wardens, or any one of them, twice in each year, in the months of May and

November, and as much oftener as they may deem proper, between sunrise and sunset, to enter into any house or building, yard or premises, in the city, and examine the fire-places, chimneys, stoves and pipes thereto, and other apparatus likely to cause fire ; and also all cellars, rooms, buildings, sheds and structures, where ashes, boxes, paper, straw, shavings or other combustible material, may be lodged, and to give such directions in regard thereto, to the owner or occupant of such premises, either for the removal, alteration, or better care and management thereof, as they may deem necessary to protect the city from fires, and such directions shall be complied with by the person or persons to whom they shall be given, and at the expense of such owner or occupant.

Sec. 3. If any person or persons shall neglect or refuse to comply with such directions as either of said fire wardens may give in the premises, or shall obstruct or hinder any fire warden in the performance of his duty, the person so offending shall, upon conviction, be punished by a fine not exceeding twenty dollars, together with the costs of prosecution ; and in case of any violation of any provision of this ordinance it shall be the duty of the fire warden for the district in which said violation occurred to make a complaint of said violation.

Sec. 4. No pipe of any stove shall be put up or kept up, in any building in said city, unless it be conducted into a chimney made of brick or stone. It shall not be lawful to put the pipe of any stove through any wooden partition, or through any partition made of lath and plaster unless said pipe shall be carried through a good and sufficient metallic ventilator. Any person who shall, after notice from either of the fire wardens of said city, within the limits of said city, put up or procure to be put up the pipe of any stove, or shall suffer the pipe of any stove to remain up, contrary to the provisions of this section, shall, upon conviction, be punished by a fine not less than five nor more than fifty dollars, together with the costs of prosecution.

Sec. 5. No person within the limits of said city, shall permit any accumulation of any hay, straw, shavings, empty

boxes, paper or other combustible material, in the cellar of any building situated upon or adjoining the business portion of any public street in said city, nor shall any person within said city, place or keep any empty boxes, cases, barrels or other combustible materials, piled up against or within two rods of any store in said city; *Provided*, That this section shall not be so construed as to prevent a reasonable time for unpacking goods and the removal of the boxes or packing cases. Any person violating this section shall, upon conviction, be punished by a fine of not less than ten or more than one hundred dollars, together with the costs of prosecution.

Sec. 6. No ashes, except at manufactories where ashes are used, shall be kept or deposited in any part of the city, unless the same be in a close and secure metallic or earthen vessel, or brick or stone ash rooms. Any person violating the provisions of this section, shall, upon conviction, be punished by a fine of not less than one dollar and not more than ten dollars, together with the costs of prosecution.

Sec. 7. This ordinance shall take effect after the expiration of fifteen days from and after its passage.

Sec. 8. This ordinance, immediately after its passage, shall be published once in the Ypsilanti Sentinel, and once in the Ypsilanti Commercial, weekly newspapers printed and circulated within the city of Ypsilanti.

Sec. 9. Any offender failing to pay the fine imposed for a violation of any of the provisions of this ordinance and the costs of prosecution, may be imprisoned in the county jail of the county of Washtenaw, for any time not exceeding thirty days, unless payment thereof be sooner made.

Made and passed in the common council this eleventh day of February, A. D. 1878.

Approved February 11th, 1878.

Attest: L. A. Barnes, Mayor.
FRANK JOSLIN, City Clerk.

No. 13.**AN ORDINANCE PROHIBITING THE SALE OF OBSCENE, IMMORAL,
INDECENT AND SCANDALOUS BOOKS, PAPERS OR PRINTS
WITHIN THE CITY OF YPSILANTI.**

The Common Council of the City of Ypsilanti ordain :

Section 1. It shall not be lawful within the city of Ypsilanti for any person, firm or corporation, to print, publish, sell, offer for sale, give away, circulate or distribute any book, pamphlet, ballad, printed paper or other thing containing obscene, immoral, indecent or scandalous language, or obscene prints, pictures, figures or description, or articles of advertisements of a scandalous, indecent or immoral nature, tending to the corruption of the morals of the residents of said city, or to introduce into any family, school or place of education, or to buy, procure, receive or have in his possession, any such book, pamphlet, ballad, printed paper or other thing, either for the purpose of sale or exhibition, loan or circulation, or with intent to introduce the same into any family, school or place of education.

Sec. 2. Any person who shall violate any of the provisions of this ordinance shall be punished by a fine of not less than ten nor more than one hundred dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction or the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 3. This ordinance shall take effect fifteen days after its passage.

Sec. 4. This ordinance, immediately after its passage, shall be published once in the Ypsilanti Sentinel, and once in the Ypsilanti Commercial, weekly newspapers printed and circulated within the city of Ypsilanti.

Made and passed in the common council this eleventh day
of February, A. D. 1878.

Approved February 11th, 1878.

Attest : L. A. BARNES, Mayor.
FRANK JOSLIN, City Clerk.

No. 14.

AN ORDINANCE REGULATING THE USE OF THE PUBLIC STREETS AND OTHER PUBLIC PLACES BY PERSONS KNOWN AS “NEWSBOYS” IN PLYING THIS TRADE OR BUSINESS.

The Common Council of the City of Ypsilanti, ordain :

Section 1. No boy or boys or other persons known as “newsboys,” shall ply this trade or business in any of the streets, avenues, parks or other public space within the city without a permit from the city clerk, countersigned by the mayor, as hereinafter provided.

Sec. 2. The city clerk is hereby authorized to grant permits in writing to the class of persons known as “newsboys.” to ply this trade or business in the streets, avenues, alleys, parks or other public spaces of this city. No permit granted under this ordinance shall last for a period longer than one year, from the date of the issuing of such permit.

Sec. 3. It is hereby made the duty of the city clerk to furnish to each person to whom a permit is granted a number made of tin, or other metal; he shall endorse such number upon such permit, and shall keep correct record of the name

of each person to whom a permit is granted, with his place of residence, the trade or business he is permitted to pursue under this ordinance and the number with which he is supplied. He shall collect the sum of twenty-five cents from each person to whom the number herein provided for is issued.

Sec. 4. Each person to whom a number is issued under the preceding sections of this ordinance, shall, while plying his trade or business, wear said number on the front of his hat or cap or on the breast of his coat, so that the same may be plainly seen.

Sec. 5. The mayor, the city clerk and the common council, or either of them, may revoke the permit herein provided for; and it shall be deemed a sufficient cause for such revocation, that the person whose permit has been revoked, has been guilty of using indecent or profane language or of committing any act of a disorderly or dishonest nature; and the permit issued any "newsboy" may be revoked as aforesaid, if he shall sell or offer for sale, circulate or deliver or carry, any newspaper, pamphlet, magazine or printed matter within said city, the sale or circulation of which, within said city, may be, or shall have been prohibited by an ordinance, or by a resolution of the common council of said city.

Sec. 6. Any person violating any of the provisions of this ordinance, shall be punished by a fine, not to exceed two dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs, may be imprisoned in the county jail of Washtenaw county, for any term, not exceeding fifteen days, unless payment thereof be sooner made.

Sec. 7. This ordinance shall take effect fifteen days after its passage.

Sec. 8. This ordinance, immediately after its passage, shall be published once in the Ypsilanti Sentinel, and once in the Ypsilanti Commercial, weekly newspapers printed and circulated within the city of Ypsilanti.

Made and passed in common council this eleventh day of February, A. D. 1878.

Attest: L. A. BARNES, Mayor.
FRANK JOSLIN, City Clerk.

No. 15.

AN ORDINANCE PRESCRIBING THE DUTIES OF THE DEPUTY CITY MARSHAL, DEPUTY CLERK, AND SPECIAL DEPUTY MARSHALS.

Repealed November 27, 1891. See Ordinance No. 52.

No. 16.

AN ORDINANCE RELATIVE TO PUBLIC POUNDS AND TO ANIMALS AND FOWLS RUNNING AT LARGE.

The Common Council of the City of Ypsilanti ordain:

Section 1. There shall be two or more public pounds in the city of Ypsilanti, to be located in such places as may be designated by the common council, and which shall be kept open during the entire year, for the reception of all fowls and animals taken as hereinafter provided.

Sec. 2. Pound-masters shall be appointed by the common council, and shall hold their office for the period of one year, subject however to removal at any time, and shall receive for their services the fees hereinafter provided.

Sec. 3. No horse, mare, colt, mule, jackass, cow, calf, bull, ox, heifer, steer, swine, or geese, shall run or be permitted to run, at large anywhere within the limits of the city of Ypsilanti, or be tethered, herded, or in anywise pastured in any street or alley in said city, nor shall chickens or fowls of any kind be permitted, from April 15 to November 1 of each and every year, to run at large anywhere within the limits of the city of Ypsilanti.*

Sec. 4. It is hereby made the duty of the pound-masters, marshal, deputy marshal, special deputy marshals, and constables, and it shall be lawful for any other person of the age of eighteen years and over, to take up and convey to one of the public pounds any animals or domestic fowls, running at large or tethered, herded or pastured contrary to the provisions of section three of this ordinance; and for such service the person performing it, shall be entitled to receive the sum of fifty cents for each animal, and twenty-five cents for each fowl, so driven or taken to the pound.

Sec. 5. The pound-masters shall receive, keep, tend, feed any animal or fowl which may be brought to the pound, under the foregoing provisions.

Sec. 6. It shall be lawful for the pound-master to demand and receive as his fee, for taking in each and every such animal or fowl so impounded by virtue of this ordinance, ten cents, which fee, together with the fees for driving such animal or fowl to pound and the charges for keeping and feeding the same therein, (twenty-five cents per day for each animal and ten cents per day for each fowl) shall be paid to the pound-master, by the owner thereof, or some person for him, before such animal or fowl shall be released from said pound; and if the owner of any such animal or fowl, impounded as aforesaid, shall not pay the aforesaid fees, for driving to pound, taking in, and keeping and feeding the same, within three days after the same were impounded, then it shall be the duty of the city marshal to sell such animal at public vendue, giving three days previous notice thereof by advertisements posted up at

*As Amended November 27, 1891.

the pound where such animal or fowl was impounded, and at the postoffice ; and from the moneys accruing from such sale, to retain the aforesaid fees for the respective parties who may be entitled to the same for the driving to pound, taking in and keeping and feeding such animal or fowl, together with ten per cent upon the avails of such sale for advertising and selling animal, which ten per cent shall belong to said city, and be paid, together with the surplus, into the city treasury, such surplus, however, subject to the order of the common council, who shall upon proof restore the same to the owner of such fowl or animal.

Sec. 7. In no case shall the pound master deliver to any person any animal or fowl, lawfully impounded, before receiving the established fees, except by order of the marshal or any alderman.

Sec. 8. No person shall hinder, delay, or interfere with any one who is driving or carrying any animal or fowl to the public pound.

Sec. 9. No person shall break, or attempt to break, or assist in breaking into any pound.

Sec. 10. No person shall take up, drive or carry to the public pound any animal or fowl not legally liable to be impounded.

Sec. 11. If any animal or fowl, that may have been lawfully impounded, shall escape or be rescued, any pound-master, or the marshal, deputy marshal or any special deputy marshal or constable, may, within seven days thereafter, retake such animal or fowl, and the same may be held and sold, as if no escape or rescue had taken place.

Sec. 12. Any person violating any of the provisions of this ordinance, shall be punished by a fine of not less than one nor more than ten dollars, together with the costs of prosecution; and on failure to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction or in the county jail of Washtenaw county for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 13. An ordinance entitled "An ordinance relating to animals running at large," made and passed October 7th, 1878, is hereby repealed, such repeal to take effect from and after the twelfth day of July, A. D. 1880.

Sec. 14. This ordinance shall take effect on the twelfth day of July, A. D. 1880.

Sec. 15. This ordinance, immediately after its passage, shall be published once in the Ypsilanti Commercial, a weekly newspaper printed and circulated within the city of Ypsilanti..

Made and passed in common council this twenty-eighth day of June, A. D. 1880.

Approved June 29th, 1880.

Attest: EDWARD P. ALLEN, Mayor.

FRANK JOSLIN, City Clerk.

No. 17.

AN ORDINANCE RELATIVE TO PUBLIC CARRIAGES.

The Common Council of the City of Ypsilanti ordain:

Section 1. That no person who is a non-resident of said city of Ypsilanti, shall keep for hire within the limits of said city, any public carriage, cab, hackney-coach, omnibus or other public vehicle, without a license therefor, as hereinafter provided.

Sec. 2. No person who is a non-resident of said city, shall drive or be permitted to drive, any public carriage, cab, hackney-coach, omnibus or other public vehicle, without being licensed therefor as hereinafter provided.

Sec. 3. No person shall drive or be permitted to drive any public carriage, cab, hackney-coach, omnibus or other

public vehicle, belonging to any non-resident of said city without being licensed therefor as hereinafter provided.

Sec. 4. No person who is a non-resident of said city, unless licensed as an owner or driver as herein provided, shall procure passengers for, or charge or receive any fare for any public conveyance.

Sec. 5. The mayor or clerk are hereby authorized to grant licences for the purpose aforesaid, to any non-resident of the city of Ypsilanti, upon payment into the city treasury, verified by the receipt of the treasurer, to be filed with the clerk, of the sum of two dollars per day for each carriage, cab, hackney-coach, omnibus or other vehicle.

Sec. 6. Any violation of, or failure to comply with the provisions of this ordinance, shall be punished by a fine of not less than ten nor more than fifty dollars, together with the costs of prosecution; and on failing to pay forthwith such fine and costs may be imprisoned in the county jail of Washtenaw county, or in the Detroit house of correction, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 7. This ordinance shall take effect on and after the tenth day of October, A. D. 1881.

Made and passed by the common council at Ypsilanti, this nineteenth day of September, A. D. 1881.

Approved September 20th, A. D. 1881.

Attest : H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 18.**AN ORDINANCE RELATIVE TO OFFICIAL BONDS.**

The Common Council of the City of Ypsilanti ordain :

Section 1. The official bonds of the officers of the city, shall be required in the following named amounts, to-wit :

City treasurer, in the sum of fifteen thousand dollars.
City marshal, in the sum of one thousand dollars.
City clerk, in the sum of two hundred dollars.

Which bonds shall in all cases be given by said officers before entering upon the duties of their respective offices, and shall be approved by the common council.

Sec. 2. The city marshal, before receiving from the city treasurer the tax-rolls for the collection of taxes, shall give an additional bond in such sums as the common council may by resolution require.

Sec. 3. This ordinance shall take immediate effect.

Made and passed in common council this twentieth day of February, A. D. 1882.

Approved February 21st, A. D. 1882.

Attest:

H. R. SCOVILL, Mayor.

FRANK JOSLIN, City Clerk.

No. 19.**AN ORDINANCE RELATIVE TO THE CONSTRUCTION OF SIDEWALKS.**

Repealed. See Ordinance No. 44.

No. 20.**AN ORDINANCE RELATIVE TO LAMPS AND LAMP-POSTS.**

The Common Council of the City of Ypsilanti ordain :

Section 1. The public lamps and lamp-posts of the city shall be under the supervision of the committee on gas lights.

Sec. 2. No person shall wilfully, maliciously or negligently, injure, pull down, break, remove, or in any manner deface or injure any public lamp, lamp-post, crotchet or gas light within the city of Ypsilanti.

Sec. 3. No person shall light, or cause to be lighted, or extinguish, or cause to be extinguished, any public lamp or gas light, without being authorized so to do by the common council.

Sec. 4. Any person violating any of the provisions of this ordinance shall be punished by a fine not to exceed twenty-five dollars, together with the costs of prosecution, and, on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or in the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 5. This ordinance shall take effect on the fourth day of March, A. D. 1882.

Made and passed by the common council this twentieth day of February, A. D. 1882.

Approved February 21st, 1882.

Attest : H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 21.**AN ORDINANCE RELATIVE TO RAILROADS.**

The Common Council of the City of Ypsilanti ordain :

Section 1. The rate of speed of engines and cars on railroads, within the limits of [the] city, shall not exceed six miles per hour; and any engineer, driver or conductor, having charge of an engine, car, or train of cars, upon any railroad in said city, who shall suffer or cause said engine, car or train of cars, to go over said railroad, within said city, at a greater rate of speed than six miles an hour, shall be punished by a fine of not less than five dollars, nor more than fifty dollars, or by imprisonment not to exceed ninety days, or by both said fine and imprisonment, in the discretion of the court.

Sec. 2. No engine or cars on railroads, within the limits of the city, shall be stopped and remain upon any street crossing for a longer period than five minutes; and any engineer, driver, or conductor, having charge of an engine, car, or train of cars, upon any railroad in said city, who shall suffer or cause said engine, car or train of cars, to stop or be stopped and remain upon any street crossing, within said city, for a longer period than five minutes, shall be punished by a fine of not less than five dollars nor more than fifty dollars, or by imprisonment not to exceed ninety days, or by both said fine and imprisonment, in the discretion of the court.

Sec. 3. No person under the age of twenty-one years, unless he is an employe of the company, shall get on or off any railroad train while in motion, within the limits of the city of Ypsilanti, except at the respective depots of the railroad companies in said city.

Sec. 4. Any person violating the provision of section three of this ordinance shall be punished by a fine not exceeding ten dollars and costs, and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction or the county jail of Washtenaw county, for any term not exceeding thirty days, unless payment thereof be sooner made.

Sec. 5. This ordinance shall take effect on the fourth day of March, A. D. 1882.

Made and passed in common council, this twentieth day of February, A. D. 1882.

Approved February 21st, 1882.

Attest: H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 22.

AN ORDINANCE RELATIVE TO THE PUBLIC HEALTH.

The Common Council of the City of Ypsilanti ordain:

Section 1. The aldermen of each ward whose term of office will soonest expire, together with the health physician, shall be and are hereby constituted a board of health in and for the city of Ypsilanti, and any four of them shall constitute a quorum for the transaction of business.

Sec. 2. At their first meeting, which shall be on the second Monday in May of each year, they shall select from their number a president and clerk, who shall hold their offices for the term of one year; and in case of vacancy or temporary absence his place shall be supplied by the election of a president or clerk *pro tempore*, as the case may be.

Sec. 3. The board of health shall meet at the city hall, and, after their first meeting, at such time as they may deem proper.

Sec. 4. The clerk of the board of health shall keep regular minutes of their proceedings in books to be provided for that purpose.

Sec. 5. The board of health shall have power, and it is hereby made their duty :

1st. To make, and direct to be made, diligent inquiry with respects to all nuisances, of every description, in said city, which are, or may be, injurious to the public health, and abate the same.

2d. To stop, detain and examine, or direct to be stopped, detained and examined, every person coming from a place infected with a pestilential or infectious disease, in order to prevent the introduction of the same into this city.

3d. To cause any person, not a resident of this city, who is infected with any infectious or pestilential disease, to be sent back to the place whence he or she came, or to the pest-house or hospital.

4th. To cause any person, a resident of this city, who is infected with any pestilential or infectious disease, to be removed to the pest-house or hospital, if in the opinion of the board of health, the removal of such person is necessary for the preservation of the public health; *Provided*, however, that such removal can be effected with safety [to] the patient.

5th. To destroy any furniture, wearing apparel, goods, wares, or merchandise, or articles or property of any kind which shall be exposed to or infected with a contagious or infectious disease; *Provided*, however, that such property before being destroyed shall be appraised by two disinterested persons to be selected by the board of health.

6th. To rent or erect proper houses to be used as pest-houses or hospitals.

7th. To employ such nurses, officers, agents, servants or assistants, and provide the necessary furniture, medicines, articles and necessaries, for the use of the pest-house or hospitals, and the persons therein confined as may be deemed necessary.

8th. To require the occupant of any dwelling house, store, shop or other building in which there shall be any person sick

with small-pox, or varioloid, to put up and maintain in a conspicuous place, on the front of such dwelling-house, store, shop or other building, a card or sign to be furnished by the board, on which shall be written or printed in large letters, the words "small-pox," and in case of the neglect or refusal of any person to comply with such requirement, to remove the patient therein to the pest-house or hospital.

9th. To exercise a general supervision over the health of the city, and to make, from time to time, such recommendations to the common council as they deem proper, to promote the cleanliness and salubrity of the city.

10th. To make and determine the rules of its own proceedings.

11th. The board of health shall provide and keep on hand a supply of cards marked "small-pox," to be put upon any house in which there may be a person sick of that disease or the varioloid, and such card, upon application, shall be furnished without charge.

12th. Whenever, in their judgment, it shall be necessary for the public health, to at once take possession of any building, factory, hotel, dwelling-house, out-house, premises or grounds, upon which, in their judgment, there exists any nuisance prejudicial to the public health; and if the owner or occupant shall refuse or neglect to forthwith abate such nuisance, in the manner directed by said board, said board may cause the same to be abated forthwith in such manner as they may deem proper. The said board may also, when they deem it requisite for the public health, at once, and by force, if necessary, close up such houses, buildings, hotels and premises, and exclude all occupants therefrom until such nuisance shall be fully abated and the air of such building or premises is thoroughly purified. Any person who shall resist the action of the board, or their agents under this subdivision, shall be liable to the penalties provided for in section fifteen of this chapter.

Sec. 6. Every physician, or person acting as such, who shall have a patient sick of the small-pox, varioloid, diphtheria,

scarlet fever or other infectious or pestilential disease, shall forthwith report the fact in writing to the president of the board of health, together with the name of the street and number of the house, if any, where such patient is treated; and the president shall report the same at the next meeting of the board, and every keeper, superintendent or person in charge of any pest-house within the corporate limits of the city of Ypsilanti, or any other pest-house under the control of the authorities of said city, to which any person, being a city charge, may be brought sick with any infectious or contagious disease, shall at once on the arrival of every such person, give a notice thereof in writing to the president of the board of health and to the health physician: *Provided*, That if the person thus brought to such pest-house is a county charge, the notice herein required shall be given to the county physician, and to the president of the board of health.

Sec. 7. It shall be the duty of the occupants of any dwelling-house or other building in which there shall be small pox or varioloid, to put up and maintain in a conspicuous place on the front of such building a card, or sign, to be furnished by the board of health, on which shall be written or printed the words "small pox," and such sign or card shall be kept on such building during all the time any person so diseased shall remain therein, and until permission is obtained in writing from the health physician to remove the same. No person shall take down, or remove, injure or deface such card or sign at any time during the time in which the same is required to be kept up and maintained.

Sec. 8. All persons having small pox, varioloid, or other contagious or infectious disease, are hereby required to be kept closely confined within their respective dwellings, or places of abode, and no person who has been confined with such disease, shall leave his or her place of abode, and go about the city, until, in the opinion of the health physician, it can be done without danger of communicating the disease to others.

Sec. 9. No person having the small pox, varioloid or other contagious disease shall go about the city.

Sec. 10. No person shall bring, or cause to be brought, into the city of Ypsilanti, any person infected with the small pox, varioloid or other infectious or pestilential disease.

Sec. 11. The pest-house and hospitals of the city shall be under the control and direction of the board of health.

Sec. 12. No owner, driver, or person in charge of any public hack, carriage or conveyance, shall use, or permit the same to be used for the purpose of conveying the body of any person who has died of the small pox or varioloid, or any person from any house, building or place, in which any person is sick with, or has within two weeks died of, either of said diseases.

Sec. 13. Every physician having a small pox or varioloid patient, immediately after each and every visit to the same, shall not visit any other patient, except those affected with the small pox or varioloid, until he has changed his clothing and otherwise disinfected himself; and every undertaker having in charge the body of any person who has died of either of said diseases, immediately after the interment thereof; and any person nursing or taking care of any person sick with either of said diseases, before going upon the streets, shall change his clothes and otherwise disinfect himself.

Sec. 14. The members of the board of health, excepting the health physician, shall be paid twenty dollars a year for all services rendered by them upon such board.

Sec. 15. Any person violating or failing to comply with the provisions of this ordinance, or failing or neglecting to comply with any of the requirements of the board of health, shall be punished by a fine not to exceed one hundred dollars, together with the costs of prosecution, and, on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or in the county jail of Washtenaw county, for any term not to exceed three months, unless payment thereof be sooner made.

Sec. 16. This ordinance shall take effect on the fourth day of March, A. D. 1882.

Made and passed in common council this twentieth day of February, A. D. 1882.

Approved February 21st, A. D. 1882.

Attest: H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 23.

AN ORDINANCE RELATIVE TO THE PREVENTION OF SMALL-POX.

The Common Council of the City of Ypsilanti ordain:

Section 1. The keeper of any hotel, tavern, boarding, or other public house, or the owner or occupant of any private house or residence in which any person may be sick with small-pox, varioloid or other infectious disease, or the physician, or person acting as such, who shall have a patient affected with any such infectious disease, shall forthwith report the same to the president of the board of health; and the keeper or keepers of said hotel, tavern, boarding or public house, or the owner or occupant of said private residence as aforesaid, shall thereupon immediately procure, put up and maintain in a conspicuous place on the front of said premises a card or sign with the word small-pox printed thereon in large letters, which card shall not be removed, injured or defaced by any person, and shall remain posted on the premises during all the time any person affected with any infectious disease shall remain therein, and until the taking down of such card is advised in writing by the physician attending such diseased person.

Sec. 2. It shall be the duty of the keeper of any hotel, tavern, boarding or public house, or the owner or occupant of any private residence, wherein any person may be sick with

the small-pox or other infectious disease, to close said public house or private residence, and keep it closed as against all lodgers, customers and persons desiring to visit the same, and prevent the occupants of said public house or private residence from leaving said premises, until such time, as, in the opinion of the attending physician, or the president of the board of health, expressed in writing, all danger of communicating the disease from the said house or residence, or from any of the inmates thereof, shall have passed. *Provided*, That the provisions of this section shall not apply to physicians or clergymen in attendance upon such sick person or persons.

Sec. 3. Immediately after the termination of a case of small-pox, varioloid, or other infectious disease, by the convalescence or death of the person or persons afflicted, it shall be the duty of the attending physician, or in case no regular physician has been in attendance, then of the health physician, to examine the bedding, clothing and wearing apparel of the convalescent or deceased person, as the case may be, and shall order all such articles to be disinfected by washing or the use of such disinfectants as may be necessary, and to order the destruction by fire of such articles, as in his opinion, cannot be disinfected; and upon request of the owner or other person interested in any articles ordered to be destroyed, he shall first appoint two disinterested persons to appraise the value of the articles condemned, and to render an itemized statement thereof in writing and verified by the affidavit of such appraisers.

Sec. 4. It shall be the duty of the physician in attendance on any person or persons sick with any contagious or infectious disease, to give all necessary instructions regarding the thorough ventilation and cleansing of the public house or private residence wherein such person shall be sick, and it shall be the duty of the keeper of such public house or owner or occupant of such private residence to follow the instructions, of the physician in attendance, as aforesaid, under the penalty hereinafter provided.

Sec. 5. In case of the death of any person from the small-pox, varioloid, or other infectious disease, the body of such

deceased person shall not be taken to or inside of any church, public building or any other public place, nor to any private residence or building other than that upon the premises where said death occurred; but said body shall be conveyed to any proper cemetery between the hours of seven o'clock in the evening and seven o'clock of the following morning, and therein buried, without any public demonstration or public funeral services whatever.

Sec. 6. Any person violating any of the provisions of this ordinance shall be punished by a fine not exceeding one hundred dollars together with the costs of prosecution, and, on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or in the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 5. This ordinance shall take effect on the fourth day of March, A. D. 1882.

Made and passed in common council, this twentieth day of February, A. D. 1882.

Approved February 21st, 1882.

Attest,

H. R. SCOVILL, Mayor.

FRANK JOSLIN, City Clerk.

No. 24.

AN ORDINANCE RELATIVE TO AUCTIONEERS.

The Common Council of the City of Ypsilanti ordain :

Section 1. No person shall exercise the business or trade of an auctioneer, or sell property by public auction or outcry, without a license from the mayor or clerk. This section shall

not apply to any person selling property by virtue of a legal process, or under a mortgage, nor to sales of the goods, wares, chattels, merchandise, or household furniture of any resident of the city of Ypsilanti, such goods, wares, chattels, merchandise or household furniture having been in actual use by such resident or having been assessed in the city of Ypsilanti in the year in which such sale is made.

Sec. 2. The mayor or clerk is authorized to grant a license to any resident of the city of Ypsilanti, of good character, or to any non-resident or transient person of good character, on the conditions prescribed in the following section.

Sec. 3. Any resident applying for a license, shall, before the issuing thereof, pay into the city treasury the sum of ten dollars, provided, however, that all such licenses shall terminate on the first Monday in June following. If he be a non-resident, he shall, before the issuing of the license, pay the sum of three dollars into the city treasury for each and every day he proposes to sell.

Sec. 4. No bell or crier shall be used to collect bidders at any auction.

Sec. 5. Any person violating any of the provisions of this ordinance, shall be punished by a fine of not less than five dollars nor more than twenty-five dollars, together with the costs of prosecution; and on failure to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction or in the county jail of Washtenaw county for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 5. This ordinance shall take effect on the fourth day of March, A. D. 1882.

Made and passed by the common council this twentieth day of February, A. D. 1882.

Approved February 21st, 1882.

Attest : H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 25.**AN ORDINANCE DEFINING THE DUTIES OF THE CITY ATTORNEY.**

The Common Council of the City of Ypsilanti ordain :

Section 1. That it shall be the duty of the city attorney to draft all bonds to be executed by the officers of this city for the faithful performance of their duties; all deeds, bonds, contracts, and other instruments, which may be required to be executed by said city in its corporate capacity, and which the city shall be at the expense of drawing. He shall prosecute all suits and actions in behalf of the city, in any court of said city or of this state; he shall institute and conduct all prosecutions for the recovery of all fines, penalties and forfeitures which may accrue for the violation of the ordinances of this city; and defend all actions brought against the same, or any officer thereof in his official capacity, before any court in this city or state. Whenever required he shall render legal advice to the common council, or any member or committee thereof, on any subject touching the city government or the interests thereof: *Provided*, that in all cases where suits are tried, or other business done, outside the county, his expenses shall be paid from the city treasury.

Sec. 2. The city attorney shall keep an accurate account of all suits tried, and all other transactions in which he shall be engaged for said city, and which shall result in debit or credit to the treasury thereof, and report the same to the common council of said city at the end of every three months during the term for which he was employed as attorney.

Sec. 3. This ordinance shall take immediate effect.

Made and passed in common council this twenty-seventh day of February, A. D. 1882.

Approved February 28th, A. D. 1882.

Attest:

FRANK JOSLIN, City Clerk.

H. R. SCOVILL, Mayor.

No. 26.**AN ORDINANCE RELATIVE TO HAWKERS AND PEDDLERS.**

The Common Council of the City of Ypsilanti ordain :

Section 1. No person shall follow the business or occupation of a hawker or peddler of, or sell or peddle goods, wares, merchandise, refreshments, fish, or any kind of property or thing, by going about from place to place in the city for the purpose, or from any stand, cart, vehicle, or other device, in the streets or highways within the limits of the city of Ypsilanti, without a license from the mayor or clerk.

Sec. 2. The mayor or clerk is hereby authorized to license any person to follow any business or occupation specified in section one of this ordinance, upon payment into the city treasury, verified by the receipt of the treasurer, to be filed with the clerk, of not less than one nor more than twenty dollars for each day, as shall be ordered by said mayor or clerk upon application for such license.

Sec. 3. This ordinance is not intended to apply to any farmer selling, or offering for sale the produce of his farm, or any person selling meat from house to house.

Sec. 4. Any person violating any of the provisions of this ordinance shall be punished by a fine not less than five nor more than twenty-five dollars, together with the costs of prosecution, and, on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or in the county jail of Washtenaw county, for a term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 5. This ordinance shall take effect on the eleventh day of March, A. D. 1882.

Made and passed in common council this twenty-seventh day of February, A. D. 1882.

Approved February 28th, 1882.

Attest: H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 27.**AN ORDINANCE RELATIVE TO CEMETERIES.**

The Common Council of the City of Ypsilanti ordain :

Section 1. The cemeteries known as Highland, St. John's, and Eastern cemetery, are hereby declared to be public burial grounds, and no person or persons, societies or congregations, shall establish any other burying ground within the limits of the city of Ypsilanti.

Sec. 2. No interment shall be made in any other place within the city of Ypsilanti than Highland and St. John's cemeteries hereinbefore named, as burials in other localities are injurious to the public health.

Sec. 3. The grave for an adult shall be at least six feet deep; and for a child, at least five feet deep.

Sec. 4. No person shall commit any trespass by destroying, injuring or defacing any grave, vault, tombstone, monument, enclosure, building, fence, basin, fountain, bridge, seat, tree, flower, shrub, or other thing belonging to any cemetery.

Sec. 5. No vehicle or carriage shall be driven in any cemetery at a greater speed than four miles an hour.

Sec. 6. No animal shall be left unfastened or allowed to graze or be pastured in any cemetery.

Sec. 7. No person shall disturb the quiet and good order of any such place by noise or other improper conduct.

Sec. 8. No person shall enter or walk over any lot in any cemetery without the consent of the owner or sexton, nor disturb the soil on said premises without such consent.

Sec. 9. No body shall be disinterred in this city without the written consent of the mayor or, in his absence, of the president of the board of health.

Sec. 10. Any person violating the provisions of this ordinance shall be punished by a fine not exceeding fifty dollars, together with the costs of prosecution; and on failing to pay

forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or in the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 11. This ordinance shall take effect on the eleventh day of March, A. D. 1882.

Made and passed in common council this twenty-seventh day of February, A. D. 1882.

Approved February 28th, 1882.

Attest : H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 28.

AN ORDINANCE RELATIVE TO NUISANCES.

The Common Council of the City of Ypsilanti ordain :

Section 1. No person shall, himself or by another, throw, place, deposit or leave in any street, highway, lane, alley, public space or square, any animal or vegetable substance, dead animal, fish, shells, shavings, paper, dirt, rubbish, excrement, filth, ordure, slops, unclean or nauseous water, liquor or gaseous fluids, hay, straw, ashes, cinders, soot, offal, garbage, swill, or any article or substance whatever. In the case of any alley or street where any substance above named shall exist, be or have been deposited, it shall be the duty of every owner or occupant of any lot or premises, within twenty-four hours after having been notified by the city marshal or board of health so to do, to remove from the half of such alley or street adjoining such lot or premises all such substance.

Sec. 2. No person shall himself, or by another, discharge out of or from any dwelling house, kitchen or other building,

any foul or nauseous liquid, water, or other substance, into or upon any highway, street, lane, alley, public space or square, or into any adjacent lot or ground. No person or persons shall permit on his, her or their premises, within the boundaries of the city of Ypsilanti, or within one-half mile therefrom, of which he, she or they may be the occupant or occupants, agent or agents, a soap or candle factory, or the exercise of any other unwholesome or offensive trade or calling, or suffer any building, sewer, or other thing whatsoever, to remain on said premises until, in any manner, the same shall become offensive, hurtful, dangerous, or unwholesome to the neighborhood or travelers.

Sec. 3. No person shall keep, place, or have, on or in any building, lot or premises in the city of Ypsilanti, or within one-half mile distant therefrom, any dead carcass, putrid, offensive or unsound beef, pork, fish, hides, skin, bones, horns, stinking or rotten soap, grease, tallow, offal, garbage, or other animal or vegetable matter of [or] substance, which may cause any unwholesome, noisome or offensive smell.

Sec. 4. When any dumb animal shall die within the limits of the city of Ypsilanti, the owner or person in possession of it shall, within twelve hours thereafter, cause the carcass to be removed to some place at least one-half mile beyond the city limits.

Sec. 5. No owner or occupant of any grocery, cellar, factory, tannery, butcher shop, slaughter house, stable, barn, privy, sewer, or other building or place, shall allow any nuisance to exist or remain on his or her premises; nor shall any person, persons or corporation, operating, owning, occupying or using any public or private street, alley way, or any premises whatever, within the limits of the city of Ypsilanti, create or maintain a nuisance thereon.

Sec. 6. Amended. See Ordinance No. 57.

Sec. 7. Amended. See Ordinance No. 57.

Sec. 8. Hereafter no person shall, himself or by another, post, attach, place, paint or stamp any placard, showbill, or

advertisement of any description whatever (except such as may be expressly authorized by law), on any street, fence, sidewalk, lamp-post, post, box, bridge or building, or on any other public place or object in the city, (except on bill-boards expressly provided and used for such purpose). It shall be the duty of the marshal, deputy marshal and special deputy marshals of said city to see to the enforcement of this section, and to make complaint against any person violating the provisions thereof.

Sec. 9. No person or person shall collect or confine hogs, cows or cattle, in herd, pen, enclosures, or otherwise, so as to become offensive to his, her or their neighbor or neighbors, in any locality within the limits of the city of Ypsilanti.

Sec. 10. No person shall place, deposit, throw, or keep, in the waters of the Huron river, within the city limits, any manure, vegetables, perishable substance, excrement, carcass, meats, hides, offals, garbage, or any unwholesome or decayed matter whatever.

Sec. 11. Any person violating any of the provisions of this ordinance shall be punished by a fine not to exceed fifty dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 12. This ordinance shall take effect on the eleventh day of March, A. D. 1882.

Made and passed in common council, this twenty-seventh day of February, A. D. 1882.

Approved February 28th, 1882.

Attest : H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 29.**AN ORDINANCE TO PRESERVE THE PUBLIC PEACE AND TO AP-
PREHEND AND PUNISH VAGRANTS, DISORDERLY PERSONS,
MENDICANTS, AND DRUNKEN PERSONS.**

The Common Council of the City of Ypsilanti, ordain :

Section 1. All able-bodied persons who, not having visible means of support, are found loitering or rambling about, or lodging or loitering in drinking saloons, tippling houses, beer houses, houses of ill fame, houses of bad repute, sheds or barns, or in the open air, and not giving good account of themselves, or begging in the street or elsewhere, all keepers or exhibitors of any gaming table or device, and all persons who, for the purpose of gaming, or for the purpose of watch stuffing, travel about or go from place to place, and all persons upon whom shall be found any instrument or thing used for the commission of burglary, larceny, or for picking locks or pockets, or anything used for obtaining money under false pretenses, or who carry concealed firearms, dirk-knives, or other deadly weapons, and who cannot give a good account of their possession of the same, and all fortune-tellers, shall be deemed vagrants, and upon conviction thereof, shall be punished by a fine not exceeding fifty dollars, together with the costs of prosecution, and in default of the immediate payment thereof, shall be committed to the Detroit house of correction or the county jail of Washtenaw county until such fine is paid, provided such time of imprisonment shall not exceed the period of ninety days.

Sec. 2. Any person or persons who shall make or assist in making any noise, disturbance or improper diversion, or any rout or riot, by which the peace and good order of the neighborhood are disturbed, or shall be guilty of disorderly conduct, shall be punished as hereinafter provided.

Sec. 3. No person shall be guilty of using indecent or immoral language, nor be guilty of any indecent or immoral conduct or behaviour, or use any insulting or abusive epithets to

any other person, in any public street, lane, alley, square, or space in said city.

Sec. 4. All mendicants and drunken persons shall be punished as hereinafter provided.

Sec. 5. Any person who shall, by talking, laughing, or otherwise, interrupt the service in any place of Divine worship, shall be punished as hereinafter provided.

Sec. 6. Persons shall not collect, stand in crowds, or remain loitering on the sidewalk, or at the corners of the streets, so as to hinder or impede the passage of pedestrians, or in front of any church, or any public hall or place of worship, during service or the gathering or departing of the congregation.

Sec. 7. No person shall make any indecent exposure of his or her person in the streets, lanes, alleys, or public places of said city.

Sec. 8. No person shall show, sell, or offer for sale, or exhibit any indecent or obscene picture, drawing, engraving, book or pamphlet.

Sec. 9. Any violation of the provisions of this ordinance shall be punished by a fine not to exceed fifty dollars, together with the costs of prosecution, and in default of the immediate payment thereof, the offender may be imprisoned in the Detroit house of correction or in the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 10. This ordinance shall take effect on the eleventh day of March, A. D. 1882.

Made and passed in common council this twenty-seventh day of February, A. D. 1882.

Approved February 28th, 1882.

Attest : H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 30.**AN ORDINANCE RELATIVE TO DISORDERLY HOUSES, GAMBLING INSTITUTIONS AND BUCKET SHOPS.**

The Common Council of the City of Ypsilanti ordain :

Section 1. No person shall keep, within the city of Ypsilanti, any house of ill fame, house of assignation or house for the resort of common prostitutes, or a disorderly saloon, bar-room, tavern, beer hall, grocery, theater, room or building for gaming with cards, dice, billiards, nine or ten-pin alleys, wheels of fortune, boxes, machines or other instruments or devices whatever, or shall in any manner contribute to the support, carrying on or keeping of any such house or place.

Sec. 2. No person shall knowingly let or lease any house, saloon, bar-room, tavern, theater, store, room or building of any kind to be used as a house of ill-fame, house of assignation, place for the resort of common prostitutes or disorderly characters, or for the purpose of gambling for money or other property, or as a disorderly house, saloon, bar-room, tavern, theater or room, or, knowing his or her house, building or place to be so used, shall willingly permit its further use for any such purpose.

Sec. 3. No person shall keep, carry on or maintain, or aid in keeping, carrying on or maintaining, any lottery, policy, pool or bucket shop or any like scheme or place for drawing or disposing of any money or other property within the city.

Sec. 4. No person shall play, participate in, aid or encourage within the city limits any game, gambling, lottery, trick, device or scheme, the purpose of which is to secure or obtain money or other property by chance, fraud or deceit.

Sec. 5. Any person who shall violate any of the provisions of this ordinance shall be punished by a fine not exceeding one hundred dollars and costs of prosecution, and in case of failure to pay forthwith such fine and costs may be imprisoned in the Detroit house of correction or in the county jail of the

county of Washtenaw until such fine and costs be paid; provided, however, that the term of such imprisonment shall not exceed ninety days.

Sec. 6. This ordinance shall take effect on the eleventh day of March, A. D. 1882.

Made and passed in the common council this twenty-seventh day of February, A. D. 1882.

Approved February 28, 1882.

Attest: H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 31.

AN ORDINANCE RELATIVE TO THE PRESERVATION OF PUBLIC PROPERTY.

The Common Council of the City of Ypsilanti ordain:

Section 1. No person shall destroy, injure, or in any manner deface the city hall, any school building, fire engine house, fire apparatus, street lamp, lamp-post, or any public building or property whatsoever, in the city of Ypsilanti, or the appurtenances, fences, trees or fixtures thereunto belonging or appertaining.

Sec. 2. No person shall injure any public reservoir, or break, or enter the same, or throw or deposit any substance therein, or draw of any water therefrom, except in case of fire, or for the use of the fire department, without authority from the common council, the mayor of the city, or chief engineer of the fire department.

Sec. 3. No person shall destroy, cut or injure, or in any way deface, or hitch any animal or animals of any kind to any shade or ornamental tree standing in any street, avenue, public space or square, in the city of Ypsilanti. This section shall not be construed to prohibit any person owning or occupying any lot in front of or adjacent to which there may be any shade or ornamental trees from trimming the same.

Sec. 4. No person or persons shall ride or drive any horse or horses, oxen or other animals, on, over or across any bridge in said city constructed of iron, or of wood and iron combined, faster than a walk, nor drive on, over or across any such bridge, at any one time, more than twenty head of cattle; nor shall any persons congregate upon any bridge in this city to exceed fifty in number at any one time; nor shall any person or persons injure, deface or impair any bridge or any part of any bridge or its abutments in said city.*

Sec. 5. Any person violating any of the provisions of this ordinance shall be punished by a fine of not less than five or more than twenty-five dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or in the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 6. This ordinance shall take effect on the eleventh day of March, A. D. 1882.

Made and passed in common council this twenty-seventh day of February, A. D. 1882.

Approved February, 28th, 1882.

Attest: H. R. SCOVILL, Mayor.

FRANK JOSLIN, City Clerk.

*As Amended October 25, 1886, to take effect November 20, 1886.

No. 32.**AN ORDINANCE RELATIVE TO THE PREVENTION OF FIRES.**

The Common Council of the City of Ypsilanti ordain :

Section 1. All that portion of the city of Ypsilanti included within the following boundaries shall be constituted and known as the fire limits of the city of Ypsilanti: Commencing on the west bank of the Huron river, in the center of Cross street, running thence along said center of Cross street, to the center of Adams street; thence south along the center of Adams street to the center of Pearl street; thence west along the center of Pearl street to the center of Hamilton street; thence south along the center of Hamilton street to the center of Michigan street; thence east along the center of Michigan street to the center of Adams street; thence south along the center of Adams street to the center of Woodard street; thence east to the Huron river; thence up the river following the same to the place of beginning; also commencing on the river Huron at a point in a line in the center of Mill street [now called Maple street] projecting westerly, running thence easterly along said line to a point opposite an alley between lots 437 and 438 in Norris addition to the city of Ypsilanti thence southerly at right angles with Mill [now Maple] street to the south line of North street; thence westerly to the center of River street; thence south along the center of River street to the center of Congress street; thence west to the Huron river: thence up the Huron river following the same to place of beginning.*

Sec. 2. No person shall erect or place any building, or part of any building within the fire limits, or make any repairs to, or alterations of, or remove any building in the fire limits, without having obtained permission of the common council.

Sec. 3. No person or persons shall hereafter erect or place any building within the fire limits of that city, unless the wall

*As Amended Jan. 8th, 1883, to take effect Feb. 1st, 1883.

of such building so erected shall be made of brick, stone, iron or earth, or unless such building shall be less than nine feet square, and below twelve feet in height, and in no instance shall said last mentioned building be used for a smoke house or receptacle for ashes.

Sec. 4. No person or persons shall raise or elevate from the ground, any wooden building, now standing within said limits, by constructing thereunder or thereon, another story or part of a story, or in any other way, increase the height or size of said wooden building, by placing thereon or thereto any addition made of wood, or in any way enlarge any building made of wood, within the said described fire limits.

Sec. 5. No person shall remove any building of wood larger than nine feet square and twelve feet high, from one part or section of any lot to any part or section of any other lot within the said fire limits.

Sec. 6. The two last preceding sections shall not be so constructed as to prevent the common council from granting leave to any person or persons to erect any new building, or to add to or remove any building, now standing within said limits, provided the same shall be granted by a resolution adopted by a two-thirds vote of all members of the common council.

Sec. 7. For each and every week in which a building erected, placed, removed or repaired contrary to the provisions of this ordinance, shall be allowed to remain, the owner of such building may be complained of as for a distinct offense, and punished as hereinafter provided.

Sec. 8. Every chimney hereafter erected within the limits of the city, shall be so constructed as to admit of being scraped, brushed or cleansed.

Sec. 9. No pipes of any stove, chimney or fire place, shall be put up or used, unless the same shall be conducted into a chimney of stone or brick; and in all cases where stove pipe passes through the wood work of a building, it shall be separated from such wood work at least three inches, by metal or

other incombustible material; and all pipes from stoves, or fire places, over fifteen feet in length, shall be riveted together at each joint, and when necessary for safety, shall be supported and stayed by wire.

Sec. 10. No person shall use or occupy, within the limits of the city of Ypsilanti, any building for the manufacture of turpentine, camphene, fire-works, or other dangerous or easily inflammable or explosive substances, or for the storage of gunpowder in larger quantities than fifty pounds, or for the storage of fire-works of any description whatever.

Sec. 11. No person shall kindle any fire, or furnish the material for any fire, to be made or kindled in any street, alley, or vacant place within the fire limits, unless by tinners, plumbers or other mechanics pursuing a business requiring the use of a fire.

Sec. 12. No person shall fire or set off any squib, crackers, gunpowder or fire works, or fire off any gun or pistol in any street, lane, alley, or other public space, or in any yard, public or private, within the limits of the city, unless by written permission from the Mayor; and such permission shall specify the object, and limit the time of such firing; nor shall any person fire a cannon or anvil in either of the public or private spaces herein before mentioned, without having first obtained written permission from the mayor, which permission shall only be granted when it shall appear to the satisfaction of the mayor that the firing of said cannon is to be under the supervision of experienced gunners; *Provided* that save in case of using or firing a gun or pistol, which is expressly prohibited, and the firing of any cannon or anvil which is prohibited, except on permission granted as herein provided, this section shall not be extended to the prohibition of the usual demonstrations on the fourth of July, the twenty-second of February, the seventeenth of March and the first of August; but no such permission from the mayor as herein provided shall be construed to incur, on the part of the city, any liability for damages by reason of any accident caused by such firing.

Sec. 13. No person, corporation or company shall keep any shop, mill or other building or premises, or carry on any business in the city of Ypsilanti, in such a manner as to endanger said shop, mill, or other building or premises from fire or explosions.

Sec. 14. Any person violating any of the provisions of this ordinance shall be punished by a fine not to exceed one hundred dollars together with costs of prosecution, and, on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or in the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 15. This ordinance shall take effect on the eleventh day of March, A. D. 1882.

Made and passed in common council this twenty-seventh day of February, A. D. 1882.

Approved February, 28th, 1882.

Attest: H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 33.

AN ORDINANCE RELATIVE TO DOGS.

Repealed. See Ordinance No. 70.

No. 34.**AN ORDINANCE RELATIVE TO SHOWS, ENTERTAINMENTS AND EXHIBITIONS.**

The Common Council of the City of Ypsilanti ordain :

Section 1. No person or persons, company or companies, shall exhibit, in this city, any circus, menagerie, play, game or theatrical exhibition, or give any concert, vocal or instrumental, or exhibit any natural or artificial curiosity, or give any public entertainment of any kind, for which pay is demanded or received, without a license from the mayor or clerk; and for every license granted for any business, object or purpose herein specified, there shall be collected from the person or persons, company or companies receiving the same, as follows :

1st. For a circus or menagerie, twenty-five dollars for the first day upon which an exhibition shall occur, and fifteen dollars for each subsequent day; for a circus and menagerie combined, thirty dollars for the first day upon which any exhibition shall occur, and twenty dollars per day for each subsequent day.

2d. Upon a license for a play or theatrical exhibition, other than minstrels, three dollars for the first day and two dollars for each succeeding day.

3d. Upon a license for a minstrel troop, five dollars for the first day and three dollars for each subsequent day.

4th. Upon a license for a concert, vocal or instrumental, or operatic performance, three dollars for the first day and two dollars for each subsequent day.

5th. Upon a license for a game, or the exhibition of any natural or artificial curiosity, two dollars for the first day and one dollar for each subsequent day.

6th. Upon a license for any public entertainment or amusement not above designated, for which pay is demanded and re-

ceived, two dollars for the first day and one dollar for each subsequent day.*

Sec. 2. The mayor or clerk is hereby authorized to grant licenses for the purposes aforesaid, on the payment of such sum of money as is required for the particular purpose or purposes specified in section one of this ordinance.

Sec. 3. This ordinance shall not extend to any exhibition by the pupils of any private or public school, or to any exhibition of painting, sculpture or fine art, executed by a citizen of Ypsilanti, or to any concert or musical entertainment for the benefit of any church or benevolent object.

Sec. 4. It shall be the duty of any person or company receiving a license to keep good order in or about his or their place of amusement or exhibition.

Sec. 5. No license shall be deemed issued under the provisions of this ordinance until the amount required for such license shall have been paid to the city treasurer and his receipt therefor filed with the city clerk.

Sec. 6. Any person violating any of the provisions of this ordinance shall be punished by a fine of not less than ten nor more than twenty-five dollars, together with the costs of prosecution; and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or in the jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 7. This ordinance shall take effect on the eleventh day of March, A. D. 1882.

Made and passed in common council, this twenty-seventh day of February, A. D. 1882.

Approved February 28th, 1882.

Attest :

FRANK JOSLIN, City Clerk.

H. R. SCOVILL, Mayor.

*As Amended November 27, 1891.

No. 35.**AN ORDINANCE TO ESTABLISH THE LINE ON WHICH CERTAIN
BUILDINGS MAY BE ERECTED.**

The Common Council of the City of Ypsilanti ordain :

Section 1. No person shall erect any barn or outbuilding within twenty feet of the line of any street without a permit from the common council.

Sec. 2. Any person violating any of the provisions of this ordinance, shall be punished by a fine of not less than three nor more than twenty dollars, together with the costs of prosecution; and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction or in the jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 3. This ordinance shall take effect on the twenty-fourth day of March, A. D. 1882.

Made and passed in common council this thirteenth day of March, A. D. 1882.

Approved March 14th, 1882.

Attest : H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 36.**AN ORDINANCE RELATIVE TO THE USE OF STREETS AND ALLEYS.**

The Common Council of the City of Ypsilanti ordain :

Section 1. No person shall permit any snow or ice to re-

main on the sidewalk in front, rear or side of any house, premises, building or lot, owned or occupied by him any longer than twenty-four hours after the same has fallen or formed. And when ice has formed on any sidewalk as aforesaid, such owner or occupant shall, within four hours after the same has formed, cause a sufficient quantity of salt, saw-dust, sand or ashes, to be strewn on the sidewalk, as aforesaid, in such manner as shall render it safe for persons walking thereon.

Sec. 2. No person shall remove, or cause to be removed, or aid or assist in removing any building, into, along, or across any street, alley, or any other public space, without permission first obtained from the common council; in granting which provision [permission] the common council shall designate the route to be taken and the time to be occupied in the removal of such building; and while in transit such building shall be so moved as to least obstruct the street and by the route and in time prescribed by the common council, and at no time be left in any street crossing. Any person obtaining any such permission shall file a bond to the satisfaction of the mayor, conditioned that he will pay all damages to private or public property that shall be caused by such removal.

Sec. 3. No person shall drive, lead or back any horse, mule, ox, cow or other animal or team, cart or wheel carriage, or draw, push or otherwise propel any hand-cart, wagon, carriage, velocipede, swill cart or other vehicle, except baby carriages and wheel-barrows, on or along any sidewalk in any public street or other public place in said city.*

Sec. 4. No person owning, building, or repairing any house or other building, shall permit any lumber, brick, plaster, mortar, earth, clay, sand, stone, or other material, to remain on the sidewalk after sunset of the day upon which it was placed there, without permission of the mayor.

Sec. 5. No person shall obstruct or encumber any public

*As Amended Jan. 8th, 1883, to take effect Feb. 1st, 1883.

street, alley or other public space, with any article or thing whatever, or encroach upon or permit to remain, or maintain in any street, alley or space, any building, structure or thing owned, occupied or used by him or her. This section shall not be construed to prohibit merchants and other business persons from using and occupying, for a width of three feet, the sidewalk immediately in front of their places of business, on all streets whereon the sidewalks are ten feet or more in width, and for a distance of two feet on all streets whereon the sidewalks are less than ten feet in width, for the purpose of displaying their goods and wares or merchandise, and exhibiting or placing on said spaces their signs, images, bulletin boards, and other insignia of the place or nature of their trade or business; nor shall it be construed to prevent the moving of goods, wares or merchandise across any sidewalk in the way of trade or for the use of families.

Sec. 6. No person shall leave any wagon, cart, or other vehicle standing in any street, alley or other public space, without the same is actually in use at the time. *Provided*, that this section shall not be construed as prohibiting carriage-makers, blacksmiths, inn-keepers, and keepers of livery and lodging stables from temporarily occupy [occupying] the street for the space of six feet immediately in front of the premises occupied by them, with vehicles undergoing immediate repairs, or with vehicles from which horses have been unhitched for the purpose of being shod, or with vehicles of farmers or other persons temporarily lodging with said inn-keeper or keeper of livery stable. Nor shall this section be construed to prohibit draymen, expressmen or other persons from occupying the street or alley for the space of six feet immediately in the rear or front of the premises occupied by them with such vehicles as are being actually used by them in the prosecution of their several business callings.

Sec. 7. No person shall place by himself or another, any stone, timber, lumber, planks, boards, bricks, or other materials, in or upon any street, alley or other public space, except

for the purpose of building, and not for that purpose, except under permission first obtained from the mayor; and such material shall not be allowed to remain in such street, alley, or other public space, after completion of such building, or for a longer period than three months; and the same shall not be allowed to occupy and obstruct more than one-half of any street or alley, or any portion thereof other than that in front of the lot or premises on which such material is to be used; and after such building has been completed all building material, dirt and rubbish arising therefrom shall be removed without delay; and in cases where such permission is granted, as aforesaid, the person or persons having the same, in cases where the sidewalk is removed or entirely obstructed, shall provide and maintain a temporary sidewalk not less than three feet in width between the line of the lot or premises and such building material. *Provided*, always, that any permission granted under this section shall not authorize any person or persons to obstruct or in any manner prevent the free passage of surface water through the gutter of any street, alley or other public space in said city.

Sec. 8. No person shall leave any horse, mule, oxen, or team, in any street, alley, or public space, without being sufficiently tied; and no person shall halt any wagon, cart, carriage, sleigh or other vehicle, on any crosswalk or footway.

Sec. 9. No person shall dig or tear up any pavement, side or crosswalk, or dig any hole, ditch, drain or sewer in any street, alley or other public space, without permission obtained from the mayor; and it shall be the duty of any person digging or tearing up any pavement, side or crosswalk, or digging any hole, ditch, drain or sewer, in any street, alley, or other public space, as speedily as practicable to repair and put the same in as good order and condition as before; and in order to do this such person shall pound down the earth so as to make it firm and solid; and if the earth shall settle, such person shall fill the same from time to time, as may be necessary; and any person digging in any street, alley or other public space, or the contractor or owner or owners of property for whose benefit such

digging may be done, for any of the purposes hereinbefore mentioned, or for any purpose whatever, shall erect and maintain a good and sufficient fence, railing or barrier around such excavation in such manner as to prevent accidents, and to place and keep upon such railing, fence or barrier, suitable and sufficient colored lights during the night.

Sec. 10. No person shall herd together or detain in any street, alley or other public space, any cattle, horses, hogs, sheep or goats.

Sec. 11. No person shall place or put any trough for feeding or watering horses, cattle, or other animals, in any street, alley or other public space.

Sec. 12. No person shall keep or maintain on any sidewalk any wagon or stand for the sale of goods, wares or merchandise, vegetables or fruits, to project more than three feet from the wall of his or her house or store, unless permission is granted in writing therefor by the mayor under the authority of the common council.

Sec. 13. No person shall display or detain for exhibition any stud-horse or bull in any street, alley or other public place.

Sec. 14. No person shall ride or drive any horse, carriage, sleigh or other vehicle, through any street in this city at a faster rate than eight miles an hour.

Sec. 15. No person shall erect any balustrade or balcony to extend beyond the line of any sidewalk or street, and less than twelve feet from the ground, without permission first obtained from the common council; and iron braces and railings shall be used in the construction of any such balustrades or balconies, and the same shall not project beyond the line of the sidewalk more than three feet.

Sec. 16. It shall not be lawful to gather together in crowds on any sidewalk or in [the] street, so as to obstruct travel therein, or encumber the same.

Sec. 17. No person shall suspend from any house, shop or store, into or over any street, alley or other public space, any goods, clothes, wares or other articles or substance, so that the same shall extend or project from the wall or front of such building more than three feet.

Sec. 18. In no case shall any person owning or controlling any sign permit the same to be or remain in or over any street, alley or public space for more than forty-eight hours after the passage by the common council of a resolution directing the removal thereof; a copy of which resolutions shall be served by the marshal upon such person so owning or controlling such sign.

Sec. 19. No person shall make or continue any cellar door, windows or area, so that the same shall extend more than four feet beyond the line of any building or lot; and all areas shall be protected by sufficient grating or illuminated pavement.

Sec. 20. Every entrance or flight of steps projecting beyond the line of sidewalks, and descending into any cellar or basement stores where such entrance or flight of steps shall be covered, shall be enclosed with good iron railing on each side, permanently put up, not less than three feet wide, with a gate opening inwardly, unless such entrance steps be thoroughly lighted, so as to prevent accidents; and steps and railings shall not occupy more than one-fifth of the width of the sidewalk.

Sec. 21. No person shall swim or bathe in the waters of the Huron river, within the city limits, unless such person is suitably attired, and while swimming or bathing conduct himself in a decent, orderly manner, and then only between the hours of eight p. m. and six a. m.

Sec. 22. Any cellar or other excavation left uncovered by the burning or removal of the buildings therefrom or otherwise, shall be surrounded by the owner or occupant of the premises with a sufficient fence or barrier to prevent accidents.

Sec. 23. No person shall indecently expose his or her per-

son, or show, sell, or exhibit for sale, any indecent or obscene picture, drawing, engraving, painting, book or pamphlet; or use any indecent or obscene language, or give or aid in giving any indecent or obscene exhibition or show of any kind, in the streets or elsewhere in the city.

Sec. 24. Hereafter no awning shall be erected over any sidewalk in this city unless permission therefor has been granted by the common council.

Sec. 25. No wooden post for the support of any awning, shall hereafter be erected or set up in any street or public space in said city, and all iron posts erected in any street or public space for the purpose of supporting awnings shall be not less than twelve feet in height and be placed on the established line between the sidewalk and street, and no framework used for connecting awning posts with the buildings shall be less than twelve feet above the sidewalk. *Provided*, however, that cloth or canvass awnings may hang within six and a half feet of the sidewalk and not lower.

Sec. 26. Any person violating any of the provisions of this ordinance shall be punished by a fine not to exceed one hundred dollars, together with the cost of prosecution, and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or in the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 27. This ordinance shall take effect on the twenty-fourth day of March, A. D. 1882.

Made and passed in common council this thirteenth day of March, A. D. 1882.

Approved March 14, 1882.

Attest:

H. R. SCOVILL, Mayor.

FRANK JOSLIN, City Clerk.

No. 37.**AN ORDINANCE RELATIVE TO THE FIRE DEPARTMENT OF THE
CITY OF YPSILANTI.**

The Common Council of the City of Ypsilanti ordain :

Section 1. The fire department of the city shall consist of a chief engineer, one assistant engineer, two fire wardens in each judicial district, and so many fire engines, hook and ladder and hose and bucket companies as the common council shall from time to time direct. The chief and assistant engineer, and fire wardens, (other than ex-officio fire wardens) shall be appointed by the common council annually in the month of May, or as soon thereafter as may be, and shall hold their offices until the first Monday of May following, and until their successors are appointed and qualify.

Sec. 2. The chief engineer shall have full power, control and command over all persons whatever at any fire, except members of the common council; and in his absence the assistant engineer shall perform his duties. In the absence of the chief engineer and assistant engineer from any fire, the mayor, and in his absence the clerk, shall discharge the duties of the chief engineer, until the proper officer shall arrive and assume command.

Sec. 3. It shall be the duty of the chief engineer, upon the giving of an alarm of fire, to immediately repair to the place where the fire may be, and upon the arrival of the engine, hook and ladder, and hose and bucket companies, to locate the same, through the foreman in charge thereof, and to direct such measures as he may deem most proper and expedient for the speedy extinguishment of the fire and the preservation of surrounding property. He shall have the general supervision of the fire engines and all other apparatus and property belonging to the fire department, and shall from time to time ascertain and report to the common council all necessary repairs to keep the engines, hose and other property of the department in good

order and serviceable condition. He shall also, in the month of April in each year, report to the common council all accidents by fire that may happen in the city, with the cause thereof, as near as can be ascertained, the number and description of buildings destroyed or injured, the owners or occupants thereof, the estimated loss of property at each fire, the amount of insurance thereon, and the loss over the insurance.

Sec. 4. At every fire, each fire warden shall report himself to the chief engineer, or other officer in command, and shall be subject to his orders. It shall be the duty of the fire wardens at every fire to protect the hose, buckets and other property of the fire department from injury; they shall have authority to command all persons present to form lines or otherwise aid in supplying the engines with water; and upon the refusal of any person to obey any such order of the wardens, to immediately expel such person from the vicinity of the fire.

Sec. 5. No person shall at any fire wilfully resist, hinder or obstruct any officer or other person in the discharge of his duties at such fire, or wilfully injure any hose or apparatus belonging to the fire department.

Sec. 6. The aldermen of said city shall be ex-officio fire wardens, and may exercise the same power and authority at all fires as is conferred upon fire wardens by the provisions of this ordinance.

Sec. 7. The officers of any fire or hose company authorized by the common council, shall consist of at least two engineers, one foreman and two assistant foremen for each fire company, and one foreman and two assistant foremen to each hose company, and of not less than twenty or more than fifty men, and of such other officers as the members thereof may see fit to elect. The members of any company shall adopt a constitution and by-laws for the government of the company, and elect the officers provided for thereby, at such time and in such manner as they may deem proper, and may provide for the

imposing and collecting of such fines for the non-attendance or the neglect of duties of any member, as they may deem necessary and proper.

Sec. 8. It shall be the duty of every member of any fire or hose company which is, or may be, formed in said city, upon the giving of any alarm of, or the breaking out of any fire in said city, to repair immediately to their respective fire apparatus and convey the same to the place where such fire is, and under the direction of the chief engineer and their several officers to work and manage their engines and apparatus belonging thereto for the extinguishment of the fire, and not remove therefrom but by the direction of the chief engineer or other officer authorized to direct them, and when so directed they shall return with their engines and apparatus to their several places of deposit, and as soon thereafter as may be, wash, clean and properly care for the same.

Sec. 9. It shall be the duty of the foreman of every company belonging to the fire department to return to the common council in the month of April each year, the names of all the persons composing such company, stating the times when they severally became such members; and when any person shall, for any reason, have ceased to be a member, the foreman shall certify the fact to the common council, and any person whose name shall be returned by the foreman as a member of any company may apply to the city clerk annually and obtain a certificate of his membership, which shall be for one year thereafter *prima facie* evidence of his membership and shall exempt him from service on juries, from military duty in time of peace, and from the payment of a poll-tax.

Sec. 10. It shall be lawful for the chief engineer, any assistant engineer, the foreman or any assistant foreman of any fire company, or any fire warden, to require the aid of any inhabitant of said city in drawing any fire engine or other apparatus of the fire department to any fire, or to require the aid of any by-stander at the fire to work any engine or apparatus at the same, or to otherwise aid in extinguishing such fire; and no

person shall neglect or refuse to comply with such requisition and render such aid without sufficient cause.

Sec. 11. The marshal, deputy marshal, special deputy marshal, and every constable in said city shall repair immediately, on the alarm of fire, to the place where the fire may be, and report himself to the officer in command, or any member of the common council present, and aid and assist as well in extinguishing the fire as in preventing any goods or property from being stolen or injured, and in protecting, removing, and securing the same; they shall also aid in the preservation of the public peace and in the arrest or removal of any idle and suspected persons; and no such officer shall neglect or refuse to obey any lawful order of any member of the common council or officer in command at any fire.

Sec. 12. Any hook and ladder company, or any person present at a fire, shall, under the direction of the chief engineer and two members of the common council, or in the absence of the chief engineer, then under the direction of any assistant engineer and two members of the common council, or in the absence of the chief and assistant engineers, then under the direction of three members of the common council and the foreman of a fire company, cut or pull down and remove any building, fence or other erection for the purpose of checking the progress of the fire.

Sec. 13. Every fire and hose company shall keep an accurate account of all expenditures made by them, and paid for out of any moneys appropriated by the common council for that purpose, in the care, control of and keeping in good serviceable condition the property of the fire department, and annually, in the month of April, render to the common council an itemized statement of such expenditures.

Sec. 14. Any person who shall violate any of the provisions of sections five, ten and eleven of this ordinance shall be punished by a fine not exceeding ten dollars, together with the costs of prosecution, and, on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of corre-

tion, or the county jail of Washtenaw county, for any term not exceeding thirty days, unless payment thereof be sooner made.

Sec. 15. This ordinance shall take effect on the twenty-fourth day of March, A. D. 1882.

Made and passed in common council this thirteenth day of March, A. D. 1882.

Approved March 14th, 1882.

Attest : H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 38.

AN ORDINANCE TO REPEAL CERTAIN ORDINANCES.

The Common Council of the City of Ypsilanti ordain :

Section 1. That the following ordinances, made and passed by the common council of said city, be and the same are hereby repealed, viz:

"An Ordinance Relative to License," made and passed May 19th, 1858, and all ordinances amendatory thereto; also,

"An Ordinance defining the Duties of the City Attorney," made and passed May 24th, 1858; also,

"An Ordinance Relative to Streets and Alleys," made and passed May 24th, 1858; also,

"An Ordinance Relative to the Observance of the First Day of the week," made and passed May 26th, 1858, and all ordinances amendatory thereto; also,

"An Ordinance Relative to constructing Plank Walks," made and passed June 2d, 1858, and all ordinances amendatory thereto; also,

"An Ordinance Relative to Ball Alleys, Billiards and other Tables," made and passed June 7th, 1858; also,

"An Ordinance Relative to Dogs," made and passed June 22d, 1858; also,

"An Ordinance to prevent improper assemblies and profane, vulgar, insulting or abusive language or improper conduct," made and passed June 22d, 1858; also,

"An Ordinance to Punish Drunkenness," made and passed August 6th, 1858; also,

"An Ordinance to Prevent Fires," made and passed November 29th, 1858; also,

"An Ordinance to Establish the Line on which Buildings may be Erected," made and passed January 17th, 1859; also,

"An Ordinance for the Protection of the Property of Citizens of the City of Ypsilanti," made and passed August 17th, 1859, and all ordinances amendatory thereto; also,

"An Ordinance to Prohibit the Sale of Diseased or Unwholesome Meats and Vegetables" made and passed September 27th, 1859; also,

"An Ordinance to prevent the obstruction of Sidewalks by Snow, Ice, &c.," made and passed December 3d, 1860, and all ordinances amendatory thereto; also,

"An Ordinance to Establish and Regulate the Fire Department of the City of Ypsilanti," made and passed February 11th, 1861; also,

"An Ordinance to Regulate Public Exhibitions and Entertainments," made and passed February 18th, 1861; also,

"An Ordinance Relative to the Disinterment of Persons," made and passed June 12th, 1865; also,

"An Ordinance for the Protection of Cemeteries," made and passed June 12th, 1865; also,

"An Ordinance Relative to Sidewalks," made and passed June 29th, 1866; also,

"An Ordinance to Regulate the discharge of Fire-arms, throwing of Fire-balls, or lighting of Bon-fires," made and passed May 28th, 1866; also,

"An Ordinance Relative to Disorderly Houses and Houses of Ill-Fame," made and passed August 12th, 1868; also,

"An Ordinance Relative to the protection of Shade and Ornamental Trees," made and passed August 30th, 1868; also,

"An Ordinance Relative to City Auctioneer and to regulate the sale of goods at Auction," made and passed November 15th, 1869; also,

"An Ordinance for the protection of Iron Bridges in the City of Ypsilanti," made and passed November 15th, 1869; also,

"An Ordinance Relative to Tavern Keepers, Inn Holders, Common Victualers and Saloon Keepers," made and passed December 29th, 1873; also,

"An Ordinance Relative to the closing of Saloons, &c., on Election Days," made and passed March 23d, 1874; also,

"An Ordinance to forbid the selling of Intoxicating Liquors," made and passed January 26th, 1874; also,

"An Ordinance to provide for Removing Snow, Sleet and Ice, from Sidewalks," made and passed November 29th, 1875; also,

"An Ordinance Relative to Public Health, &c.," made and passed June 12th, 1876; also,

"An Ordinance Prescribing the Duties of the Health Physician," made and passed October 7th, 1878; also,

"An Ordinance to prohibit the use of Barbed Wire for Fences," made and passed September 19th, 1881; also,

"An Ordinance Relative to City Auctioneers, &c.," made and passed September 19th, 1881; also,

"An Ordinance Relative to Disorderly Houses and Houses of Ill-fame," made and passed September 19th, 1881; also,

"An Ordinance Relative to Public Carriages," made and passed August 25th, 1879; also,

"An Ordinance to Punish Violators of the order of the Board of Health," made and passed October 7th, 1878.

Sec. 2. This ordinance shall take immediate effect.

Made and passed in common council this thirteenth day of March, A. D. 1882.

Approved March 14, 1882.

Attest : H. R. SCOVILL, Mayor.
FRANK JOSLIN, City Clerk.

No. 39.

AN ORDINANCE TO AMEND SECTION ONE OF AN ORDINANCE ENTITLED "AN ORDINANCE RELATIVE TO THE PREVENTION OF FIRES," APPROVED FEBRUARY 28, 1882.

The Common Council of the City of Ypsilanti ordain that section one, of an ordinance entitled "An Ordinance Relative

to the Prevention of Fires," approved February 28, 1882, be and the same is hereby amended so as to read as follows:

Section 1. All that portion of the city of Ypsilanti included within the following boundaries shall be constituted and known as the fire limits of the city of Ypsilanti: Commencing on the west bank of the Huron river, in the center of Cross street, running thence along said center of Cross street to the center of Adams street; thence south along the center of Adams street to the center of Pearl street; thence west along the center of Pearl street to the center of Hamilton street; thence south along the center of Hamilton street to the center of Michigan street; thence east along the center of Michigan street to the center of Adams street; thence south along the center of Adams street to the center of Woodard street; thence east to the Huron river; thence up the river following the same to the place of beginning; also commencing on the river Huron at a point in a line in the center of Mill street[now called Maple street], projecting westerly, running thence easterly along said line to a point opposite an alley between lots 437 and 438 in Norris' addition to the city of Ypsilanti, thence southerly at right angles with Mill [now Maple] street to the south line of North street, thence westerly to the center of River street, thence south along the center of River street to the center of Congress street; thence west to the Huron river; thence up the Huron river following the same to the place of beginning.

Sec. 2. This ordinance shall take effect on the first day of February, A. D. 1883.

Made and passed in common council this 8th day of January, A. D. 1883.

Approved January 9th, 1883.

Attest:

H. R. SCOVILL, Mayor.

P. W. CARPENTER, City Clerk.

No. 40.

**AN ORDINANCE TO AMEND SECTION THREE OF AN ORDINANCE
ENTITLED "AN ORDINANCE RELATIVE TO THE USE OF
STREETS AND ALLEYS," APPROVED MARCH 14, 1882.**

The Common Council of the City of Ypsilanti ordain :

Section 1. That section three, of an ordinance entitled "An Ordinance Relative to the use of Streets and Alleys," and approved March 14th, 1882; same is hereby amended so as to read as follows: Sec. 3. No person shall drive, lead or back any horse, mule, ox, cow or other animal or team, cart or wheel carriage, or draw, push or otherwise propel any hand-cart, wagon, carriage, velocipede, swill cart or other vehicle except baby carriages and wheelbarrows on or along any sidewalk in any public street or other public place in said city.

Sec. 2. This ordinance shall take effect on the first day of February, A. D. 1883.

Made and passed in common council this 8th day of January, A. D. 1883.

Approved January 9th, 1883.

Attest : H. R. SCOVILL, Mayor.
P. W. CARPENTER, City Clerk.

No. 41.

AN ORDINANCE TO GOVERN RAILROAD CROSSINGS.

The Common Council of the City of Ypsilanti ordain :

Section 1. It shall be the duty of all persons or corporations operating railroads which pass through or enter the city, to

keep flagmen or watchmen at all railroad crossings of streets therein; to give warning of the approach and passage of trains thereat; and to light such crossings during the night; provided however, that this section shall only be operative on and after six days from the date of the service upon such person or corporation, or upon their or its, or upon any of their or its station agents, conductors of trains, or engineers in charge of locomotive engines, of a copy of a resolution of said common council ordering the performance by said persons or corporations of the above requirements; and *Provided further* that the several requirements of this section shall be operative only so far as shall be indicated by such resolutions of the common council.

Sec. 2. Any person or corporation operating railroads, violating any of the provisions of section one of this ordinance shall forfeit the sum of one hundred dollars and costs, which may be recovered in an action of debt before any justice of the peace of said city.

Sec. 3. This ordinance shall take effect from and after May 1st, A. D. 1885.

Made and passed in common council this 20th day of April, 1885.

Approved April 21st, 1885.

Attest: CHESTER L. YOST, Mayor.
FRANK JOSLIN, City Clerk.

No. 42.

AN ORDINANCE RELATIVE TO THE AMENDMENT OF AN ORDINANCE ENTITLED "AN ORDINANCE RELATIVE TO THE PRESERVATION OF PUBLIC PROPERTY."

The Common Council of the City of Ypsilanti ordain:

Section 1. That section four of ordinance number thirty-

one, being "An Ordinance Relative to the Preservation of Public Property," be and the same is hereby amended so as to read as follows: Sec. 4. No person or persons shall ride or drive any horse or horses, oxen or other animals on, over or across any bridge in said city constructed of iron, or of wood and iron combined, faster than a walk; nor drive on, over or across any such bridge at any one time more than twenty head of cattle; nor shall any persons congregate upon any bridge in this city to exceed fifty in number at any one time; nor shall any person or persons injure, deface or impair any bridge, or any part of any bridge or its abutments, in said city.

Sec. 2. This ordinance shall take effect on the 20th day of November, A. D. 1886.

Made and passed in common council this 25th day of October, A. D. 1886.

Approved October 28, 1886.

Attest: CLARK CORNWELL, Mayor.
FRANK JOSLYN, City Clerk.

No. 43.

AN ORDINANCE RELATIVE TO THE PRESERVATION OF PUBLIC PROPERTY.

The Common Council of the City of Ypsilanti ordain:

Section 1. No person, except one authorized by the common council so to do, shall climb upon or ascend, in any degree, any electric tower, pole, or mast arm whatsoever, in the city of Ypsilanti.

Sec. 2. No person shall destroy, injure, or in any manner deface any electric tower, pole, or mast arm whatsoever, in the

city of Ypsilanti, or the wires or appurtenances appertaining to the electric light system in said city of Ypsilanti.

Sec. 3. Any person violating any of the provisions of this ordinance shall be punished by a fine of not more than ten dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction or in the county jail of Washtenaw county, for any term not exceeding thirty days, unless payment thereof be sooner made.

Sec. 4. This ordinance shall take effect on the 17th day of October, A. D. 1887.

Made and passed in common council this 3d day of October, 1887.

Approved.

Attest : CLARK CORNWELL, Mayor.
FRANK JOSLYN, City Clerk.

No. 44.

AN ORDINANCE RELATIVE TO THE CONSTRUCTION OF SIDEWALKS,
AND TO REPEAL ORDINANCE NO. 19, ENTITLED, "AN ORDINANCE
RELATIVE TO THE CONSTRUCTION OF SIDEWALKS," MADE
AND PASSED IN COMMON COUNCIL THE TWENTIETH
DAY OF FEBRUARY, 1882.

The Common Council of the City of Ypsilanti ordain :

Section 1. That the sidewalks on the several streets shall be, and the same are hereby established of the following width, unless otherwise authorized by resolutions of the common council, to-wit: On Congress street between the river and Adams

street, fifteen feet; Cross street between the railroad and Rice street, eleven feet, and on all other streets, ten feet.

Sec. 2. That all sidewalks hereafter laid, constructed or repaired in the city of Ypsilanti, shall be under the direction of the common council, and whenever it appears necessary to the council to have any walk graded, constructed or repaired, it may order the street commissioner to cause the same to be done, and it may direct that the same be constructed of stone flagging, cement, concrete or coal tar, or pine or oak plank, and in the manner described in the following sections of this ordinance.*

Sec. 3. All sidewalks hereafter laid in front of any business property in said city shall be of stone flagging, in all cases where by the terms of this ordinance the width of the walk shall exceed six feet.

Sec. 4. The order for constructing, grading or repairing any sidewalk shall be in the form of a resolution, and shall set forth the street or streets upon which it is to be constructed, graded or repaired, the width, its termination, material, and the time in which the same shall be completed, which time shall not be less than ten days.

Sec. 5. All sidewalks constructed of stone flagging, unless otherwise ordered by the council, shall be laid upon six inches of clean sand and water lime, and the flagging shall not be less than three inches in thickness, and not less than two feet square, and dressed even on the sides, so as to form close and even joints.

Sec. 6. Curb stone, when ordered by the council, shall be laid for the purpose of supporting the flagging, and such curb stones shall not be less than thirty inches in length, four inches thick, and eighteen inches wide throughout, the top of the stone to be beveled so as to correspond with the inclination of the sidewalk, the front to be cut smooth, the ends from top to bottom to be square so as to form close and even joints, such curb stones to be set perpendicular and in conformity to the established grade, and set upon a proper curve at the intersection of streets or alleys.

*As Amended by the Common Council, November 27, 1891.

Sec. 7. Concrete or coal tar sidewalks constructed under this ordinance shall be laid with a foundation not less than four inches in depth of coarse sand or gravel, which shall be covered by a coat of cement not less than three inches in thickness.

Sec. 8. Plank sidewalks shall be constructed of good pine or oak plank laid lengthwise or crosswise with the walk, and not less than one and one-half inches in thickness, nor more than twelve inches wide, on oak, cedar or hemlock sleepers, not less than four inches square, to be placed not more than three feet apart, and the plank securely spiked down.

Sec. 9. Whenever the council shall order any sidewalk to be constructed or repaired, it shall be the duty of the street commissioner to notify the owner, agent or occupant of any lot in front of or adjacent to which such walk is to be constructed or repaired, to cause the same to be done within such time as the council may direct; such notice to be served by reading said order to the owner, agent or occupant of such lot or premises, or instead thereof a publication of said resolution so ordering such construction or repairs shall be deemed a sufficient notice thereof. If the owner, agent or occupant shall neglect to build or repair such walk within the time specified in such notice, it shall be the duty of the street commissioner to cause the same to be done, and the expense thereof shall be a lien upon the lot or premises in front of or adjacent to which such walk is required to be constructed or repaired, as well as a charge against the owner thereof, and the street commissioner shall report the cost with the account thereof to the council.*

Sec. 10. If any lot or premises in front of or adjacent to which any sidewalk is ordered to be constructed or repaired shall be unoccupied, or the owner, agent or occupant thereof cannot be found in the city of Ypsilanti, the street commissioner may serve said notice by posting a copy of said resolution in some conspicuous place on said lot or premises, or by publication thereof as provided in section eight of this ordinance.*

Sec. 11. When the street commissioner shall, by order or

* As Amended by the Common Council, November 27, 1891.

resolution of the council, construct, grade or repair any sidewalk, he shall make an account thereof stating where said walk was constructed, graded or repaired, and in front of whose premises, and the expense thereof, and shall present the same to the council, and they shall order the said account to be canceled by drawing an order upon the treasurer for the amount thereof, and charge the person or persons in front of whose premises the same was constructed, graded, or repaired, the amount of the account, together with a collection fee of ten per cent added to the said account.*

Sec. 12. It shall be the duty of the clerk to certify to the supervisor in whose district such sidewalk was constructed, graded or repaired, all delinquence whether of residents or non-residents in carrying out the provisions of this ordinance, the names of such delinquents, and the amount with which each shall be charged, and the description of the property on which the improvement was made, which amount, by said supervisor, shall be taxed against such delinquents, and collected as and with the general tax of said city.

Sec. 13. This ordinance shall take immediate effect.

Made and passed in common council the 17th day of September, 1888.

Approved.

Attest: F. P. BOGARDUS, Mayor.
FRANK JOSLYN, City Clerk.

No. 45.

AN ORDINANCE RELATIVE TO NUMBERING BUILDINGS AND SPACES FRONTING ON PUBLIC THOROUGHFARES IN THE CITY OF YPSILANTI.

The Common Council of the City of Ypsilanti ordain:

Section 1. Each frontage of 33 feet on all streets in the city of Ypsilanti, and fractions over 12½ feet, shall be allotted a

*As Amended by the Common Council, November 27, 1891.

number; such number to be put up only in case the building now or hereafter erected or put thereon shall have an entrance, or the greater part thereof, within such frontage.

Sec. 2. The numbering shall commence at Congress street for all streets running northerly or southerly from Congress street; and in case such street does not cross or commence at Congress street, the numbering shall commence at the terminal point of such street nearest Congress street, but with a number, however, which shall correspond with the numbering of streets which cross or commence at Congress street.

Sec. 3. The numbering shall commence at the Huron river for all streets running easterly or westerly from the river; and in case such street does not cross or commence at the river, the numbering shall commence at the terminal point of such street nearest the river, but with a number however, which shall correspond with the numbering of streets which cross or commence at the river.

Sec. 4. The numbering shall commence on the left at the initial point as provided by sections 2 and 3 of this ordinance (at the river and at Congress street with the number 1) and continue through the block at which the numbering commences with consecutive numbers, having the odd numbers on the left and even numbers on the right; and where in the course of such numbering a street is met on one side only, the consecutive numbering shall be continued opposite such street entrance only until the street so met shall be passed.

Sec. 5. A block shall be considered as embracing all the frontage from the river to a street or from one street to another (and in the cases hereinafter mentioned from a street to an alley or from one alley to another) subject to the following provisions: *Provided*, however, that all the spaces numbering from the river to Huron street, or from the river to River street, shall be considered as single blocks. And *provided further*, that the numbers for all streets numbering westerly from the river, shall be governed by, and correspond with the numbers on Cross street; that Congress street east of the river shall,

have the governing numbers for all streets numbering easterly from the river (the alley extending south from Lincoln street and crossing Congress street being considered as a street); that Hamilton street south of Congress street shall have the governing numbers for all streets numbering southerly from Congress street west of the river; that Hamilton street from Congress street to Forest avenue, and Lowell street north of Forest avenue shall have the governing numbers for all streets numbering northerly from Congress street west of the river; that Grove street south of Congress street shall have the governing numbers for all streets numbering southerly from Congress street east of the river; and that River street north of Congress street shall have the governing numbers for all streets numbering northerly from Congress street east of the river. And *provided further*, that in all cases where streets are not intersected by streets which intersect or enter those having the governing numbers, the frontage on the street so not intersected shall be divided by the center lines of such non-intersecting streets extended; and the center lines so extended shall be considered as streets for the purposes of numbering under this ordinance, except that in case a center line so extended shall run on or near the line of an alley or other street, such alley or other street shall be considered such center line.

Sec. 6. Commencing at the initial points at the river and at Congress street, the first 33 feet frontage on the left shall be number one; the 33 feet frontage opposite number one shall be number two, and so on through the first block. The next block shall be numbered in the same manner as the first, except that 100 shall be added to each number therein; the third block to be numbered in the same manner as the second, except that another 100 shall be added to each number in such block, and so on adding another 100 for each block as the numbering progresses. *Provided*, however, that in cases of single holdings or occupancies having a frontage of less than 33 feet and exceeding 12½ feet, they shall be entitled to a full number, and that all single holdings or occupancies of 12½ feet or less shall be entitled to and shall have a half or other fractional number. *Provided further*, that if any holding entitled to a

whole number shall be divided into two or more ground floor occupancies, the widest (or in case they are equal, the first met) shall have a whole number, and the others half or other fractional numbers.

Sec. 7. All numbers used shall be not less than $2\frac{1}{4}$ inches high and $1\frac{3}{4}$ inches wide, of metal, or painted on metal or glass, and put in a conspicuous place, on or over the entrance entitled under the ordinance to such numbering; and all numbers furnished by the city to be of the same uniform pattern.

Sec. 8. All numbers shall in the first instance be prepared and put up by, and at the expense of the city, provided the building or buildings to be so numbered shall be fitted for occupancy on or before the first day of May, 1888.

Sec. 9. The owner or occupant of any building fitted for occupancy after May 1, 1889, coming within the provisions of section one of this ordinance, shall, upon notification by the city marshal, cause such building to be numbered as provided by this ordinance; and all numbering after said first day of May shall be maintained by the owner and occupant of the building as herein provided.

Sec. 10. The word street or streets as used in this ordinance shall be considered as embracing both streets and avenues.

Sec. 11. Any owner or occupant of any building entitled to a number as herein provided, who shall neglect or refuse for ten days after notification by the city marshal to affix or maintain the number of such building in the manner prescribed by this ordinance, shall be punished by a fine of one dollar for every 24 hours neglect or refusal so to affix or maintain such number, together with costs of prosecution; and on failing to pay forthwith such fine and costs, may be imprisoned in the county jail not exceeding five days.

Sec. 12. This ordinance shall take effect from and after the 20th day of April, 1889.

Sec. 13. All ordinances or parts of ordinances contraven-

ing any of the provisions of this ordinance are hereby repealed.

Made and passed in common council the 9th day of April,
A. D. 1889.

Approved April, 1889.

Attest: F. P. BOGARDUS, Mayor.
FRANK JOSLYN, City Clerk.

No. 46.

AN ORDINANCE TO ESTABLISH A BOARD OF WATER COMMISSIONERS IN THE CITY OF YPSILANTI, COUNTY OF WASHTENAW AND STATE OF MICHIGAN, DEFINING THEIR POWERS AND DUTIES.

Repealed. See Ordinance No. 54.

No. 47.

AN ORDINANCE RELATIVE TO THE NAMES OF CERTAIN STREETS.

The Common Council of the City of Ypsilanti, ordain :

Seetion 1. That the names of all streets running south from and crossing Congress street be and the same are hereby changed by adding the word South.

Sec. 2. That the names of all streets running east from and crossing the Huron river be and the same are hereby changed by adding the word East.

Sec. 3. That the street running from Factory street to Stewart street, along the water works property, be and the same is hereby named Race street.

Sec. 4. That the first street north of Cross street, running east from the Michigan Central R. R. to the city limits, heretofore known as Mill street and Helen street, be and the same is hereby changed to Maple street, by which name it will be hereafter known.

Sec. 5. That Forest avenue east of Huron river be and the same is hereby named Forest avenue East.

Sec. 6. That the street running south from Parsons street to South street, between Grove and Park streets, be and the same is hereby named Farmer street.

Sec. 7. That the street running west from Grove street to Park street, between Congress street and South street, be and the same is hereby named Parsons street, and considered an extension of Parsons street.

Made and passed in common council this 21st day of October, A. D. 1889.

Approved Oct. 21, 1889.

Attest: DANIEL PUTNAM, Mayor.
FRANK JOSLYN, City Clerk.

No. 48.

AN ORDINANCE GOVERNING THE FIRE DEPARTMENT OF THE CITY OF YPSILANTI.

The Common Council of the City of Ypsilanti ordain:

Section 1. The fire department of the city shall consist of a

chief engineer, and as many companies as the common council shall from time to time direct. Each company shall have one captain and one lieutenant, and not less than six nor more than twenty men to be recommended by the chief engineer, and appointed by the common council.

Sec. 2. The chief engineer, officers, firemen and employes of the department shall receive such compensation as the common council may prescribe.

Sec. 3. The chief engineer shall in all cases of fire have the absolute control of the fire department, and shall perform such other duties as shall from time to time be required of him by the common council. In the absence of the chief engineer the captain of hose Co. No. 1 shall perform his duties, and in his absence captain of hose Co. No. 2 shall perform the duties of chief.

Sec. 4. Any person who shall wilfully or knowingly raise or circulate any false alarm of fire, shall be punished as hereinafter prescribed.

Sec. 5. No person shall cross or run over any unprotected hose with any vehicle while the hose shall be in use, anywhere in the city of Ypsilanti, by the fire department. Any one violating the provisions of this section shall be punished as hereinafter prescribed.

Sec. 6. It shall be the duty of the chief engineer, upon an alarm of fire, to repair immediately to the place where the fire may be, and upon the arrival of the companies to locate the same, through the captain in charge, and to direct such measures as he may deem most proper and expedient for the speedy extinguishment of the fire and the preservation of surrounding property. He shall also in the month of April in each year, report to the common council all accidents by fire that may happen in the city, with the cause thereof, as near as can be ascertained, the number and description of buildings destroyed or injured, the owners or occupants thereof, the estimated loss of property at each fire, the amount of insurance thereon, and the loss over the insurance.

Sec. 7. No person shall at any fire wilfully resist, hinder or obstruct any officer or other person in the discharge of his duties at such fire, or wilfully injure any hose or apparatus belonging to the fire department.

Sec. 8. It shall be the duty of all member of any company upon an alarm of, or the breaking out of any fire in said city, to repair immediately to their respective fire apparatus and convey the same to the place where such fire is, and under the direction of the chief engineer and their several officers to work and manage their apparatus belonging thereto for the extinguishment of the fire, and not remove therefrom but by the direction of the chief engineer, and when so directed they shall return with their apparatus to their several places of deposit, and as soon thereafter as may be, wash, clean and properly care for the same.

Sec. 9. The marshal, deputy marshal, special deputy marshal, other police officers, and every constable in said city shall repair immediately, on the alarm of fire, to the place where the fire may be, and report himself to the officer in command, or any member of the common council present, and aid and assist as well in extinguishing the fire as in preventing any goods or property from being stolen or injured, and in protecting, removing, and securing the same; they shall also aid in the preservation of the public peace and in the arrest or removal of any idle and suspected persons; and no such officer shall neglect or refuse to obey any lawful order of the mayor or any member of the common council, or officer in command of any fire.

Sec. 10. Any company or any person present at a fire shall, when so directed by the chief engineer, or the acting chief engineer, and the mayor or two members of the common council, cut or pull down and remove any building, fence or other erection, for the purpose of checking the progress of the fire.

Sec. 11. In all respects, not especially herein provided for, the fire department of the city shall be governed by the rules and regulations of the fire department as adopted by the com-

mon council, and as the same may be amended or revised from time to time by the common council.

Sec. 12. Any person who shall violate any provisions of sections four, five and seven of this ordinance shall be punished by a fine not exceeding ten dollars, together with the costs of prosecution, and, on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction or the county jail of Washtenaw county, for any term not exceeding thirty days, unless payment thereof be sooner made.

Sec. 13. All ordinances or parts of ordinances heretofore passed, inconsistent herewith, are hereby repealed.

Sec. 14. This ordinance shall take effect on the 18th day of November, A. D. 1889.

Made and passed in common council this 4th day of November, 1889.

Approved November 5, 1889.

Attest: DANIEL PUTNAM, Mayor.
FRANK JOSLYN, City Clerk.

No. 49.

AN ORDINANCE RELATIVE TO THE CONSTRUCTION AND MAINTAINING OF STREET RAILWAYS IN YPSILANTI CITY.

Repealed. See Ordinance No. 62.

No. 50.

AN ORDINANCE RELATIVE TO NON-RESIDENT MERCHANTS.

Repealed. See Ordinances 58 and 59.

No. 51.

**AN ORDINANCE RELATIVE TO THE CLOSING OF SALOONS, BAR-
ROOMS, AND ALL OTHER ROOMS OR PLACES WHERE INTOXI-
CATING LIQUORS ARE SOLD, UPON SUNDAYS, HOLIDAYS,
ELECTION DAYS, AND DURING CERTAIN HOURS ON
ALL OTHER DAYS OF THE WEEK.**

The Common Council of the City of Ypsilanti ordain :

Section 1. That all saloons, bar-rooms and all other rooms or places within the limits of said city of Ypsilanti, where any spirituous and intoxicating liquors, malt, brewed or fermented or vinous liquors are sold or kept for sale, either at wholesale or retail, shall be closed on the first day of the week, commonly called Sunday, on all election days, on all legal holidays, and until six o'clock of the following morning, and on each week day night from and after the hour of 10:30 o'clock p. m., until six o'clock of the morning of the succeeding day. The word closed in this ordinance shall be construed to mean and apply to the back door or other entrances as well as to the front door, and in prosecution under this ordinance it shall not be necessary to prove that any liquor was sold.

Sec. 2. No person by himself, his clerk, agent or servant, shall keep, permit or suffer his saloon, bar-room, or other place or room where any liquors mentioned in section one of this ordinance are kept for sale, to be open on any of the days or hours named in said section one.

Sec. 3. The penal provision of this ordinance shall not apply to druggists who sell liquors for chemical, scientific, medicinal, mechanical or sacramental purposes only, and in strict compliance with section 3 of Act No. 313 of the public acts of 1887 of the State of Michigan, which act was entitled, "An Act to provide for the taxation and regulation of the business of manufacturing, selling, keeping for sale, furnishing, giving or delivering spirituous and intoxicating liquors, and malt, brewed or fermented liquors, and vinous liquors in this State, and to repeal all acts or parts of acts inconsistent with the provisions

of this act." In case druggists do not comply with the provisions of said Act No. 313, the provisions shall apply to them.

Sec. 4. It shall be the duty of constables, marshals, and public officers of said city of Ypsilanti, to close all saloons, houses or places that shall be found open in violation of the provisions of this ordinance, and to report forthwith all such violations to the mayor or the acting mayor, whose duty it shall be to prosecute or order prosecution immediately for such violations.

Sec. 5. Any person or persons violating any of the provisions of this ordinance shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction or in the county jail of Washtenaw county for any term not exceeding ninety days, unless payment of the fine imposed and all costs of prosecution thereof be sooner made.

Sec. 6. This ordinance shall take effect on the fifteenth day of December, 1891.

Made and passed in common council this 27th day of November, 1891.

Approved Nov. 28, 1891.

Attest: H. P. GLOVER, Mayor.
GEO. A. COOK, City Clerk.

No. 52.

AN ORDINANCE PRESCRIBING THE DUTIES OF THE MARSHAL,
DEPUTY MARSHAL, SPECIAL DEPUTY MARSHALS OR POLICE,
AND DEPUTY CITY CLERK.

The Common Council of the City of Ypsilanti ordain:

Section 1. The city marshal shall be the chief of police,

shall do and perform all duties and shall have the same powers as are conferred by Sections 54, 55, 56, 57, and 58 of the charter of the city of Ypsilanti, and shall do and perform all other duties prescribed therein, as well as all legitimate duties imposed by ordinance or resolution of the common council, or by the mayor of said city.

Sec. 2. The deputy marshal, special deputy marshals, properly appointed policemen or special police, shall have the same powers and do and perform the same duties incumbent upon the city marshal, by virtue of the charter or ordinances of said city, or by the lawful order of the mayor, chief of police, or the common council of said city, except being the chief of police, collecting of taxes, or acting as superintendent of the poor.

Sec. 3. The marshal, deputy marshals, or policemen, while on duty, shall not loaf, lounge or loiter in saloons, billiard rooms, bowling alleys, card rooms, or other places of resort, idling away their time, and for violation of this section, or other flagrant dereliction of duty, may be summarily removed from office, as provided in the charter of said city of Ypsilanti.

Sec. 4. It shall be the duty of the deputy clerk, in case of the absence, death, or inability to serve of the city clerk, to perform all the duties incumbent upon the city clerk, by virtue of the charter or ordinances of said city.

Sec. 5. An ordinance prescribing the duties of the deputy city marshal, deputy clerk, and special deputy marshals, made and passed in the common council of the city of Ypsilanti, the 7th day of October, A. D. 1878, is hereby repealed.

Sec. 6. This ordinance shall take effect from and after its passage.

Made and passed in common council of the city of Ypsilanti this 27th day of November, 1891.

Attest: H. P. GLOVER, Mayor.
GEO. A. COOK, City Clerk.

No. 53.**AN ORDINANCE RELATIVE TO THE OBSERVANCE OF THE FIRST DAY OF THE WEEK COMMONLY CALLED SUNDAY.**

The Common Council of the City of Ypsilanti ordain :

Section 1. No person shall keep open his shop, ware-house, or workhouse, except only for works of necessity and charity, on the first day of the week commonly called Sunday, nor be present at any dancing or any public diversion, show or entertainment, or take part in any sport, game or play within the limits of the city of Ypsilanti on the said first day of the week.

Sec. 2. No saloon, bar, billiard room, bowling alley, card room or cigar store, shall be kept open on the said first day of the week, and no person shall on said day abide or remain in said house, room or place, or in the buildings, yards, orchards or fields appertaining to the same, drinking or spending their time idly or at play, nor shall any person be present at any public assembly, excepting meetings for religious worship or moral instruction, or concert of sacred music, on said first day of the week.

Sec. 3. No person shall by talking, laughing, or otherwise, interrupt the service of divine worship, nor shall stand or remain loitering on the sidewalk, steps, entrance or vestibule in front of or in any church, public hall or place of worship during the service or the gathering or departing of the congregation therein.

Sec. 4. No person shall disturb the quiet and good order of said day by creating any unnecessary noise, or by rude and boisterous conduct, or by using profane, vulgar or indecent language, or by furious riding, driving, or shouting in the streets, or other places within the limits of the city upon said first day of the week.

Sec. 5. For the purpose of the provisions of this ordinance, the first day of the week shall be understood to include all the

time between the midnight preceding and the midnight following the said day.

Sec. 6. Any person who shall violate any of the provisions of this ordinance shall be punished by a fine not exceeding ten dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and cost, may be imprisoned in the Detroit house of correction or the county jail of Washtenaw county for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 7. This ordinance shall take effect on the fifteenth day of December, 1891.

Made and passed in the common council of the city of Ypsilanti, the twenty-seventh day of November, 1891.

Approved November 28, 1891.

Attest:

H. P. GLOVER, Mayor.

GEO. A. COOK, City Clerk.

No. 54.

AN ORDINANCE DEFINING THE DUTIES OF THE COMMISSIONERS OF PUBLIC WORKS.

The Common Council of the City of Ypsilanti ordain :

Sec. 1 The commissioners of public works shall have power to make and adopt all such by-laws, rules and regulations, to be approved by the common council, as they shall deem necessary and expedient for the conduct of its business and for the interests of the water works, electric lights, sewers, parks and such other public property of said city as may be put in their

charge by the common council, and to appoint such officers and assistants as may be necessary for the proper conducting of the above named public improvements and property, and to prescribe and define the duties thereof, and the salary and compensation of each, and the said commissioners shall control, regulate and supervise the construction of the same and from time to time the repairing thereof, but all powers herein granted by this ordinance to said commissioners shall be subject to the approval of the common council.

Sec. 2. Said commissioners shall have power subject to the provisions of the law in the statute provided, to construct, repair, and maintain reservoirs, buildings, machinery, jets and fountains at such localities in said city as the common council shall deem expedient and shall direct, and lay and repair water mains and pipes in and through all the streets, alleys and public places in said city, for the purpose of furnishing a supply of water for public and private use in said city, and control, regulate and supervise the same.

Sec. 3. The construction and repairing of any public work of said city, or any work connected therewith, except ordinary repairs, shall be done by said commissioners, by letting a contract to the lowest bidder therefor, or in such other manner as may be approved by the common council.

Sec. 4. The said commissioners shall fix and assess the water rates to be paid for having and using water from said works. Such rates shall be based as near as may be upon the water consumed and used by the owner or occupant of each house, building or lot using water.

Sec. 5. The owner or occupant of the lot or premises against which such water rates shall be assessed shall pay the same to the city clerk, ex-officio clerk of said commissioners of public works, in advance, on the first days of May and November in each year, except at the commencement of the taking and using of such water, when the advance payment shall be from such commencement to the following first day of May

or November, as the case may be; and in case of any default in such payment, and within thirty days from the day the same shall become due and payable, the said board may collect the same by a suit at law before any court of competent jurisdiction, together with the costs and expenses of said suit, and may shut off the water until the same is paid, said suit to be brought in the name of the city of Ypsilanti.

Sec. 6. The city clerk of said city may be ex-officio clerk of said commissioners, and acting under the direction of said commissioners, shall keep a record book in which he shall record the proceedings of said commissioners, and keep all other books and blanks for a full and complete account of all the transactions of the said commissioners in connection with all public improvements and property under its control.

Sec. 7. The said commissioners of public works and their agents and servants may enter upon any public or private land or water either within or without said city for the purpose of making all necessary surveys, and for maintaining their pipes, aqueducts and other works, or doing any other act necessary to carry into effect the plans and purposes of all public improvements of said city. The commissioners may agree with all persons interested in private property as to the compensation to be paid for taking and making use of the same for the public use or benefit by said commissioners. And in case no agreement can be entered into, the commissioners shall report the facts to the common council, together with a description of the property necessary to be taken, and the purposes for which it is to be used, and thereupon the common council may direct the city attorney to institute the necessary proceedings in the proper court to condemn said property for such uses according to law.

Sec. 8. The said commissioners of public works are also hereby authorized to enter into and make arrangements to supply any person or parties who may put down mains, pipes and hydrants with water from said water works mains and pipes under their control, and all persons who desire sewerage, at such prices and upon such terms and conditions as may be

mutually agreed therefor. Provided that all distributing pipes through which any water shall be supplied by said commissioners, or which shall be used for the purpose of sewerage, shall be subject to the rules, regulations and control of said commissioners, and form a part of the system of distributing pipes. They shall also have such other and further powers and rights not herein granted as are given to boards of public works by the general laws of this state, and as are not inconsistent with the powers and rights herein granted.

Sec. 9. If any person or persons shall willfully do or cause to be done any act whereby any work, materials or property whatsoever erected or used within or without the city of Ypsilanti by the said commissioners, or by any person or persons acting under their authority, for any public improvement of said city, shall be injured, or shall willfully throw or place or cause to be thrown or placed any carcass of any dead animal or person, or any other deleterious or filthy substance whatever, in any reservoir, pipe or aqueduct of the water works of said city through which water for public or private use is conveyed, or do or cause to be done any other act to willfully pollute said water, he shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail for a period not exceeding three months, or both such fine and imprisonment in the discretion of the court before which the case is tried.

Sec. 10. If any person shall, without the authority of the said commissioners, or their proper agents, perforate, or bore, or cause to be perforated or bored, any distributing pipe, main or aqueduct belonging to the water works or sewers, or cause to be made any connection or communication with said pipes, mains, aqueducts, logs or other means of conducting said water or sewerage, or meddle with or move the same, or any machinery, apparatus, fixtures of said works and sewers, or turn on the water when the same shall be shut off by order, or the rules and regulations of the commissioners of public works, or cause the same to be done, or in any manner injure any

public property of such city, the person or persons so offending shall on conviction be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail until such fine shall be paid, not exceeding three months. Any person or persons who shall willfully break or cut an inlet pipe, main, distributing pipe, log, or aqueduct used by the commissioners for conducting said water, or for the purposes of sewerage, or shall dig into or break up any reservoir filled or partially filled with water, or shall break or injure any pumping engine or any property thereof, or any of the machinery connected therewith belonging to said water works or sewers, or cause any of said acts to be done, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment in the county jail not more than three months, or by a fine not exceeding one hundred dollars, or both such fine and imprisonment in the discretion of the court.

Sec. 11. Said commissioners shall hold regular monthly meetings, and special meetings when necessary, and the action of said commissioners in fixing water rates, in fixing salaries, in constructing reservoirs, buildings, machinery, jets and fountains, in the purchase of real estate, and in the extension of mains and pipes, shall be subject to the approval of the common council, and shall not be valid without such approval, and the commissioners shall be subjected to and governed by such further ordinances and resolutions as may be adopted by the common council.

Sec. 12. The clerk of said commissioners and other officers and employes receiving money, and having charge and control of property, shall give bonds running to the city of Ypsilanti in such amount as may be fixed by said common council, and conditioned to receive, safely keep and pay or turn over all money and property which shall come into the possession of such clerk and other officers by virtue of their said offices, according to the rules and ordinances regulating all public improvements, and shall take the constitutional oath of office before entering upon their respective duties, and such bond shall be renewed yearly or oftener if required by said commissioners.

Sec. 13. An Ordinance entitled, "An ordinance to Establish a Board of Water Commissioners in the city of Ypsilanti, county of Washtenaw, and State of Michigan, defining their duties and powers," made and passed April 11, 1889, is hereby repealed.

Sec. 14. This ordinance shall take effect on and after December 15, 1891.

Made and passed in common council this 27th day of November, 1891.

Approved Nov. 28th, 1891.

Attest: H. P. GLOVER, Mayor.
GEO. A. COOK, City Clerk.

No. 55.

AN ORDINANCE RELATIVE TO THE CONSTRUCTION AND MAINTAINING OF A STREET RAILWAY ON THE NEW CROSS STREET BOULEVARD.

Repealed. See Ordinance No. 62.

No. 56.

AN ORDINANCE RELATIVE TO THE CONSTRUCTION AND MAINTAINING OF A STREET RAILWAY ON SOUTH WASHINGTON STREET IN YPSILANTI CITY.

Repealed. See Ordinance No. 62.

No. 57.**AN ORDINANCE TO PROHIBIT THE USE AND MAINTENANCE OF
SLAUGHTER HOUSES, AND THE SLAUGHTERING OF SHEEP,
SWINE AND CATTLE WITHIN THE LIMITS OF THE CITY
OF YPSILANTI.**

The Common Council of the City of Ypsilanti ordain :

Section 1. No person or persons shall keep, maintain or use, or permit to be kept, maintained or used, any slaughter house within the limits of the city of Ypsilanti.

Sec. 2. No person shall slaughter any sheep, swine or cattle within the limits of the city of Ypsilanti.

Sec. 3. It is hereby declared that the keeping, maintaining or using of a slaughter house for the purpose of slaughtering sheep, swine or cattle within the limits of the city of Ypsilanti is a nuisance.

Sec. 4. Any person violating any of the provisions of this ordinance shall be punished by a fine of not less than five nor more than twenty-five dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction or in the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 5. This ordinance shall take effect on the 18th day of October, 1892.

Made and passed in common council this third day of October, 1892.

Approved October 4, 1892.

Attest: HENRY P. GLOVER, Mayor.
GEO. A. COOK, City Clerk.

No. 58.**AN ORDINANCE TO REPEAL ORDINANCE NO. 50.**

The Common Council of the City of Ypsilanti ordain :

Section 1. That Ordinance No. 50 of the ordinances of the city of Ypsilanti, entitled "An Ordinance Relative to Non-Resident Merchants," made and passed in common council on the 18th day of August, 1890, is hereby repealed.

Sec. 2. This ordinance shall take immediate effect.

Made and passed in common council this 15th day of January, 1894.

Approved January 16th, 1894.

Attest : H. R. SCOVILL, Mayor.
C. P. MCKINSTY, City Clerk.

No. 59.**AN ORDINANCE RELATIVE TO NON-RESIDENT MERCHANTS OR TEMPORARY MERCHANTS.**

The Common Council of the City of Ypsilanti ordain :

Section 1. That no person who is a non-resident of said city of Ypsilanti, or who is residing in said city temporarily, shall sell goods, wares or merchandise, of any kind at retail, from any store or other place in said city, without a license therefor as hereinafter provided.

Sec. 2. The mayor or clerk of said city are hereby authorized to grant license for the purposes aforesaid to any non-resident of the city of Ypsilanti, or to any person who is residing in said city temporarily, upon payment into the city treasury, verified by the receipt of the treasurer, of not less than

three dollars nor more than twenty-five dollars for each day, which sum to be charged for said license is to be in the discretion of the said mayor or clerk.

Sec. 3. Any person violating any of the provisions of this ordinance shall be punished by a fine of not less than ten nor more than fifty dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs, may be imprisoned in the Detroit house of correction, or the county jail of Washtenaw county, for any term not exceeding ninety days, unless payment thereof shall be sooner made.

Sec. 4. This ordinance shall take effect on the first day of February, A. D. 1894.

Made and passed in common council the 15th day of January, 1894.

Approved January 16th, 1894.

Attest: H. R. SCOVILL, Mayor.

C. P. MCKINSTRY, City Clerk.

No. 60.

AN ORDINANCE RELATIVE TO THE PREVENTION OF CRUELTY TO ANIMALS.

The Common Council of the City of Ypsilanti ordain:

Section 1. That whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates, or cruelly kills, or causes or procures to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated, or cruelly

killed, any animal, and whoever having the charge or custody of any animal, either as owner or otherwise, inflicts unnecessary cruelty upon the same, or willfully fails to provide the same with proper food, drink, shelter, or protection from the weather, shall, for every such offense, be punished by imprisonment in jail not exceeding three months, or by fine not exceeding one hundred dollars, or by both such fine and imprisonment.

Sec. 2. This ordinance shall take effect on the 18th day of January, A. D. 1895.

Made and passed in common council January 7th, 1895.

Approved January 8th, 1895.

Attest: WM. B. SEYMOUR, Mayor.
C. P. MCKINSTRY, City Clerk.

No. 61.

AN ORDINANCE REQUIRING THE WAYS AND MEANS COMMITTEE TO EXAMINE THE OFFICE AND BOOKS OF THE CITY CLERK.

The Common Council of the City of Ypsilanti ordain:

Section 1. That it shall be the duty of the ways and means committee of the common council of the city of Ypsilanti to thoroughly examine, or cause to be examined, the office, books, papers, and each and every matter pertaining to the office of city clerk of said city, four times a year, the first examination to be made on the first day of May, 1896, and every three months thereafter.

Sec. 2. In the performance of the above mentioned examination the said ways and means committee are hereby author-

ized to employ whatever assistance they may deem necessary for the carrying on of said work.

Sec. 3. This ordinance shall take effect on the 1st day of April, 1896.

Made and passed in common council of the city of Ypsilanti, March 16, 1896.

Approved March 18, 1896.

Attest: H. D. WELLS, Mayor.
GEO. A. COOK, City Clerk.

No. 62.

AN ORDINANCE RELATIVE TO THE CONSTRUCTION AND MAINTAINANCE OF A STREET RAILWAY IN YPSILANTI.

The Common Council of the City of Ypsilanti, ordain:

Section 1. That permission and authority be and the same is hereby granted and vested in the Ann Arbor and Ypsilanti Street Railway Company, their successors and assigns, and any company or corporation succeeding to their property rights, to locate, establish, construct and maintain street railways upon any of the streets within the city of Ypsilanti, with necessary and convenient tracks for turnouts, side tracks, switches, and to run and maintain thereon railway cars for the carriage of passengers, baggage, express and mail, for thirty years from the date thereof, Subject to the following conditions:

Sec. 2. The said grantees, their successors and assigns, and any corporation succeeding to their property rights, shall have the right for a period of thirty years to maintain and operate

street railways on all the streets on which they shall construct or put in operation street railways within eighteen months from date of this ordinance.* *Provided:* nothing in this ordinance shall be so construed as to prevent the Ann Arbor and Ypsilanti Street Railway Company from continuing the use of the present tracks as now laid, providing that the present rail now in use shall be replaced with a girder rail or one equally as good within six years from the date of the passage of this ordinance.

Sec. 3. The rails of said street railway shall be laid flush with the surface of the street on which the same may be located, and shall conform to the grade thereof as now or as may hereafter be established, and shall be so constructed as least to inconvenience or obstruct public travel thereon; and before entry upon any street the said grantee, their successors or assigns, shall prepare and submit to the common council for its approval a complete plan or diagram showing the proposed line of its track or tracks in such street, the form or kind of rails to be laid thereon, the location, character and purpose of all sidetracks, turnouts, switches, curves, turn-tables and other necessities, and when such plans have met the approval of the common council, the track or tracks shall be built in accordance therewith, and shall be inspected as the work of building progresses by the committee on streets and walks, and no change shall be made in such plans unless with the approval of the common council; and if the track is authorized to be laid upon any paved streets, only so much of said pavement shall be removed as will allow the track to be properly laid, and it must be without delay restored to as good condition as it was before removal. *Provided,* That any street now or which shall be hereafter occupied by said street railway company, that they shall not vacate such street without the consent of the common council.

Sec. 4. The said grantee, its successors and assigns, shall be required to keep the surface of the street inside its rails and two and one half feet outside its tracks in good order and re-

* Time extended by Ordinance No. 68.

pair and as high as the tops of the rails of said track, and also keep its track and space two and one half feet in width on each side thereof free from dirt and rubbish or obstructions, and on unpaved streets to plank the outside and inside of tracks and between tracks at all principal street and highway crossings, and to plank in same manner such other highway and street crossings as the city council may from time to time order. Said grantee, its successors and assigns, shall restore all pavements and street crossings removed or displaced in relaying or making repairs on its track to its former condition as near as may be at its own expense. In the streets where said grantee, its successors and assigns, shall operate a double track, it shall be required to keep the space between the rails and tracks in good order; and whenever the city council shall order a street paved, it shall be the duty of said railway company to pave in like manner and at the same time as such street is paved, or to pay the expense of paving in like manner between its rails and tracks and eighteen inches outside its rails, to maintain and keep such pavement in repair; said company shall also remove or level all ridges or banks of snow or ice that shall fall or be formed upon the rails and two and one-half feet outside their tracks; such snow and ice as is removed as aforesaid shall be evenly distributed over the surface of the street as shall least obstruct public travel thereon; and in case the city council shall deem it necessary to and does remove at any time a portion of the snow and ice from any street through which the said company may be operating its street railway, then and in that case the said street railway company shall bear so much of the expense thereof, determined on the basis of the proportion of the width of the street occupied by the track or tracks of the company compared with the whole width of the streets; and if said company shall neglect to obey any order which the city council shall make in relation to such affairs, or any order relative to any repairs of the streets which the said company by the provisions of such ordinance are obliged to make, the said city council may cause the same to be made and collect the expense thereof from said company. *Provided:* That the said company may deposit or sprinkle salt upon the tracks of their railway at

all switch points, curves and turntables, and at and upon other portions of said tracks. The salt in all cases to be deposited or sprinkled on the surface of the rails only, and in such moderate quantities and in such manner as to least impair the use of said streets for public travel. Providing, they shall keep the bridge between the tracks and 18 inches each side of tracks in good repair.

Sec. 5. The common council shall have the right to regulate and prescribe the fare for carrying passengers upon the several lines of the road that may be operated by said grantee, their successors or assigns; provided, that the fare shall be five cents for the carrying of one passenger a continuous trip on their lines within the city limits without the consent of said grantees, their successors and assigns; provided, that they shall be at liberty to charge and collect double fare at and after ten o'clock p. m. upon cars not run on schedule time but put on especially for the accommodation of public meetings and entertainments.

Sec. 6. The cars shall be run regularly and frequently enough to accomodate the public, but for no purpose other than to transfer passengers and their ordinary baggage, express and mail and the same shall for that purpose be at all times in style equipment and accommodation at least equal to those in use in other cities of like size in the state. The said cars shall be provided with suitable apparatus for warming same during the winter months. Provided, said grantee, its successors and assigns shall have the right to transport its own apparatus and material, at such time as not to inconvenience public travel. Providing that the said Ann Arbor and Ypsilanti street railway company be allowed to use only one car for express and mail.

Sec. 7. No cars shall be allowed to stop on crosswalks or in front of any intersecting streets except to avoid collisions or prevent dangers to persons or property in the street. And when the conductor, driver or motorman of any car is required to stop at the intersection of streets to receive or leave passengers, the cars shall be stopped so as to leave the rear platform very slightly on the crossing. All cars shall come to a

full stop before crossing Congress street, and in no case shall cross any intersecting street faster than ten miles per hour. *Provided*, That they may run faster from Ballard street west to enable them to go up Normal hill.

Sec. 8. The said grantee, its successors and assigns, shall employ, careful, sober and prudent agents and motormen to take charge of their cars while on the road, and it shall be the duty of all such agents and motormen to keep vigilant watch for all trains and carriages or persons on foot, especially children, either upon the track or moving towards it, and for locomotives, engines and trains of cars at railroad crossings, and at the first appearance of danger to such trains, carriages, footmen or children, or to the car itself or its occupants, the car shall be stopped as quickly as possible, and every precaution taken to avoid injury.

Sec. 9. The cars shall at all times be entitled to the right of way over its tracks, and every vehicle upon the track of said railway shall turn out when a car approaches, so as to leave the track unobstructed; and the driver of any vehicle neglecting so to do shall be liable to a penalty of not exceeding five dollars and costs of prosecution, or fine, upon conviction before any justice of the peace of said city. *Provided*, That this section shall not apply to any fire apparatus, engines, trucks or carts, nor be so construed to prohibit the laying of hose across the track of said railway, nor the standing of fire engines, trucks or carts thereon, if necessary. And *provided further*, that a street car shall come to a full stop and remain in such position upon the approach from any direction of any fire apparatus while proceeding to a fire or in the direction from whence an alarm of fire has been given, until such apparatus shall have passed such car. And the driver, conductor or motorman of any car who shall neglect or refuse to comply with this provision shall be liable to a penalty of twenty-five dollars and cost of prosecution upon conviction before a justice of the peace of said city, or to be imprisoned not to exceed fifteen days in county jail, in the discretion of the court; but in no case shall the city be liable for the cost.

Sec. 10. The cars after sunset shall be furnished with signal lights on forward end of forward car and back end of last car. White lights shall be used on forward car, and red lights on last car.

Sec. 11. Nothing in this ordinance shall be so construed as to prevent the common council from authorizing the laying of water or gas pipes, sewers or other conduits, or the repairing of the same, and the grantee shall have no claims of damages therefor against the city, or against any water or gas or electric light or power company, or telephone or telegraph company, provided the work of laying such water or gas pipes or sewers or other conduits, or the repair thereof, shall be done in such a manner as not to unnecessarily damage or injure such railways or their use.

Sec. 12. Said grantee, its successors and assigns, as hereby granted the right to use, upon the whole or a portion of its tracks, as the same are now or may hereafter be authorized or constructed, animal or electric power; and if trolley wires are used (animal power shall be used when some accident shall happen to the electrical machinery) as a motive power supplied to the car by means of a single overhead trolley wire, (permission is hereby granted to said grantee to use steam as a motive power for eighteen months from the date of the passage of this ordinance, providing only coak or hard coal is used for fuel) the electrical circuit being completed by the rails of the road suitably connected at their ends, or connected with a supplementary ground wire. And for this purpose, said grantee, its successors and assigns, are hereby expressly authorized and empowered to lay and connect said ground circuit as aforesaid, and to erect and maintain, in and along any and all of the public streets and highways upon which the tracks of said railway are hereby or may in the future be authorized and constructed, such posts, brackets, wires and fixtures as may be required to support and maintain an overhead trolley wire, posts and brackets to be set under the supervision of the committee on streets and walks. If cedar posts are used, they shall be shaved and painted and reasonably straight

and uniform in size. Such posts shall be securely and firmly set at such depth in the ground as to make their support substantial and adequate; and the cross wires or brackets, as the case may be, for the support of the trolley wire, shall be attached to said poles at such a height as to maintain a trolley wire at every point not less than eighteen feet above the surface of the street. All such posts, brackets, wires and fixtures of said railway when completed shall be maintained by said grantee, its successors and assigns, at all times in good order and condition to the satisfaction of the common council of the city of Ypsilanti, and in such a manner as not to interfere with shade trees or to impede public travel, and as to best suit the public convenience and accommodate the inhabitants of said city. Poles of other persons, companies or corporations may be used by said railway company on its obtaining the consent of the owners thereof.

Sec. 13. And said company must when possible procure the right to use and make use of such poles already erected whenever they are so located that they can be used by it, or whenever the location thereof can be changed so as to be used by two or more persons or companies. And the board of public works, or its successors, shall determine as to the practicability of such joint use of such poles, and as to where they shall be located. Whenever the trolley wires of said company shall cross any other wires previously placed, good and sufficient guard wires shall be maintained by said company at all times.

Sec. 14. It shall be the duty of the engineer or motorman or persons having charge of the forward end of the car running upon or over said railway, to sound a bell upon said car at least five rods before reaching a street intersection and to continue to sound said bell until the car has passed such street intersection, and to sound said bell at all times when necessary to warn persons or vehicles or teams upon the track or driving or approaching towards the track of said company.

Sec. 15. By the acceptance of the permission and authority hereby given and granted, the said grantee, its successors or

assigns, hereby agree to indemnify and save harmless the said city of Ypsilanti from all loss or expense to which it may be subjected for any damage or destruction or injury that may be done to or suffered by any one in his, her or its person or property by reason of the construction or operation of said railway, or by the use of the motive power thereon, or by reason of any negligence, carelessness or omission of said grantee, its successors or assigns, or any of their officers, agents or servants; and the said grantee, its successors and assigns, shall be liable to said city of Ypsilanti for all costs and damages suffered by or recovered against it in consequence of any act, neglect or default of said company, its successors or assigns, or from a breach of said company, its officers, agents or servants, of any of the provisions of this ordinance.

Sec. 16. The common council shall hereby reserve all rights to make further rules, orders and requirements as may from time to time be deemed necessary to protect the interests, safety, welfare and accommodation of the public in relation to said railway, not inconsistent with the provisions of this ordinance; but they shall not reduce the rate of fare herein provided for, or alter or repeal section one of this act.

Sec. 17. If the said grantee, its successors or assigns, shall at any time hereafter fail or neglect or refuse to regularly run cars for a period of sixty days, unless occasioned by acts over which they have no control, or fail to comply with the provisions of this ordinance or any section thereof, or shall refuse, fail or neglect to observe, keep and obey such rules, orders and requirements as said city council may from time to time make, prescribe or ordain, to protect the interests, safety, welfare or accommodation of the public in relation to said railway, or the streets through which the same passes, except as herein otherwise provided, then after sixty days' notice, the rights, privileges, interests, permission and authority hereby granted shall thenceforth cease and be forfeited, and the said city of Ypsilanti be entitled to take possession of the streets over which the said railway shall run, and also to hold possession of the property of said company, such as tracks and cars

and electrical appliances, as security that said company will leave said occupied streets in good condition for travel with such kind of improvements as may exist at the time said company ceases to comply with the provisions of this ordinance. And if said grantee vacates any street or parts of streets, the said grantee shall immediately repair so much of said street, and make it as good as the balance of said street.

Sec. 18. This ordinance is accepted in lieu of all other ordinances heretofore passed by said city in favor of Charles D. Haines, Elmer T. Haines, and Andrew G. Haines, their successors and assigns, and the rights accruing thereby and heretofore assigned to said grantee are hereby surrendered. All ordinances or parts of ordinances conflicting herewith are hereby repealed.

Sec. 19. This ordinance shall be void and of no effect unless the grantee shall within one month from date of its passage notify the common council in writing of their acceptance of the provisions and agreements herein contained.

Sec. 20. This ordinance shall take immediate effect.

Made and passed in the common council of the city of Ypsilanti the 17th day of August, 1896.

Approved August 18th, 1896.

Attest: H. D. WELLS, Mayor.
GEO. A. COOK, City Clerk.

No. 63.

AN ORDINANCE GRANTING PERMISSION TO THE NEW STATE TELEPHONE COMPANY OF MICHIGAN TO ERECT AND OPERATE A TELEPHONE SYSTEM IN THE CITY OF YPSILANTI.

Section 1. Be it ordained by the common council of the-

city of Ypsilanti, that consent, permission and authority are hereby given, granted and duly vested, for a period of thirty years, to the New State Telephone Company of Michigan, its successors and assigns, to use the streets, avenues and alleys of said city for the purpose of constructing, owning, using and maintaining a telephone system, and setting poles and placing wires thereon; and all poles shall be of wood or iron, and shall be kept painted, and no advertisement shall be posted on said poles by said company nor by its consent. The poles shall be set so as not to impede the traffic in the streets, and are to be placed at such places as the board of public works may direct.

Sec. 2. Said grantee, its successors and assigns, is hereby authorized to place its wires and cables in conduits underground along and in said streets and alleys, and to provide manholes and openings from the surface of the streets connected with such conduits. Whenever and wherever any such conduits are constructed it shall be done under the supervision and in such manner as to meet with the approval of the board of public works, and wherever there is any such construction of conduits, the surface of the street shall be restored without delay to the same condition it was in before the construction of such conduits. *Provided*, That whenever the said city of Ypsilanti shall decide to pave or repave any of its streets, lanes, alleys or public places, it shall give the said New State Telephone Company, or its successors, not less than thirty days' notice of such intention; and when such notice is given, the said New State Telephone Company shall, if the said New State Telephone Company, its successors and assigns, desire to exercise the right of placing a conduit for placing its wires and cables in said streets so to be paved or repaved under the conditions of this ordinance, they shall place such conduits in such streets, lanes or alleys before the expiration of the said thirty days.

Sec. 3. Said grantee, its successors and assigns, may charge the following rates for the use of its telephones within the city: When the subscriber shall enter into a written contract for the

use of the telephone for a business place for a term of five years, twenty-four dollars per annum; when the subscriber shall enter into a contract in writing for the use of a telephone for a place used exclusively as a dwelling for a term of five years, eighteen dollars per annum; when no such contract is entered into, the said grantee, its successors and assigns, shall be allowed to charge at the rate of twenty-eight dollars per annum for the telephone in a business place, and at the rate of twenty-four dollars per annum for the telephone in a dwelling, with a rebate of four dollars for business places and six dollars for residences when telephones are used for an uninterrupted period of one year, all rates to be paid quarterly in advance. Said grantee shall not, however, be required to put in a telephone for less than the rental of one quarter of a year.

Sec. 5. It is further provided as one of the conditions of the granting of this ordinance, that the said the New State Telephone Company of Michigan, and its successors and assigns, shall during all the time in which this ordinance and the privileges thereunder granted is valid, keep a public office in the city of Ypsilanti, and a duly authorized officer, agent or attorney in said city, upon whom process and all legal notices can be served.

Sec. 6. This ordinance is to be null and void unless it is accepted by the said the New State Telephone Company within thirty days, and the work of constructing the plant be commenced within sixty days from date of said acceptance.

Sec. 7. This ordinance shall take immediate effect without publication.

Sec. 8. The said the New State Telephone Company and its successors and assigns shall, during all the time in which this ordinance and the privileges thereunder granted is valid, furnish to the city of Ypsilanti, free of charge, the use of six of the telephones of said the New State Telephone Company in connection with the local exchange of said the New State Telephone Company, said six telephones to be distributed as the common council of the city of Ypsilanti shall direct.

Sec. 9. In the event of the failure of the said the New State Telephone Company, its successors and assigns, to operate its Ypsilanti plant for any continuous period of six months, the franchise hereby granted shall become null and void, and the poles owned by said the New State Telephone Company, which are then being used by the wires of the city of Ypsilanti, shall become the property of said city of Ypsilanti.

Sec. 10. Said city reserves the right to run six fire department wires on the uppermost arm of all poles of the said the New State Telephone Company, and said city for itself and for the Ypsilanti Electric Company, reserves the right to use all the poles of said the New State Telephone Company within the city of Ypsilanti for the carrying of electric light wires, not over six in number, all to be on one crossarm, not over twenty feet above the ground; and said city for itself and the said Ypsilanti Electric Company, grants to the said the New State Telephone Company the right to place its telephone wires on any of the poles of said city and of said Ypsilanti Electric Company; and all poles set by said city and by said Ypsilanti Electric Company in the future shall be not less than thirty-five feet long, and the electric light wires shall be not over twenty feet above the ground. The suspension wires of electric lamps to be attached to top of poles, and no telephone wires to be less than twenty feet from the ground.

Section 4 fully erased before passage of this ordinance.

Made and passed in the common council of the city of Ypsilanti, Mich., the 23rd day of April, 1897.

Approved April 24th, 1897.

Attest:

H. D. WELLS, Mayor.

P. W. CARPENTER, City Clerk.

No. 64.

AN ORDINANCE RELATIVE TO DRAYS AND CONVEYANCES FOR THE TRANSPORTATION OF GOODS, PROPERTY OR SUBSTANCE, FOR HIRE IN THE LIMITS OF THE CITY OF YPSILANTI.

Repealed. See Ordinance No. 65.

No. 65.

AN ORDINANCE RELATIVE TO DRAYS AND CONVEYANCES FOR THE TRANSPORTATION OF GOODS, PROPERTY OR SUBSTANCE, FOR HIRE IN THE LIMITS OF THE CITY OF YPSILANTI.

The Common Council of the City of Ypsilanti ordain :

Section 1. That hereafter, any person or persons who shall be engaged in the business of draying or keeping a dray, vehicle or other conveyance for the transportation of wares, merchandise or anything or substance whatsoever for hire anywhere within the limits of the city of Ypsilanti, shall keep said dray, vehicle or conveyance while standing and awaiting trade, on the east side of Huron street near the sidewalk between a line adjacent to and parallel with the south wall of Savings Bank building so called, and a line adjacent to and parallel with north wall of Engine House, so called, on said street, and in no other place in said city. Provided, however, that this ordinance shall in no wise conflict with, or restrain the rights of any hotel keeper, merchant or tradesman keeping dray or delivery wagons at his place of business. Nor shall it restrain drays, vehicles or other conveyances for transportation of goods for hire, from standing at the depots in said city.

Sec. 2. Any person or persons who shall violate any of the provisions of this ordinance on conviction thereof shall be

punished by a fine of not less than one or more than five dollars, or imprisoned in the county jail not to exceed thirty days, or both fine and imprisonment in the discretion of the court.

Sec. 3. All ordinances and parts of ordinances in any manner conflicting with any of the provisions of this ordinance are hereby repealed.

Sec. 4. This ordinance shall take effect from and after the 11th day of June, A. D. 1897.

Made and passed by the common council of the city of Ypsilanti, the 1st day of June, 1897.

Approved June 1, 1897.

Attest: N. B. HARDING, Mayor.
P. W. CARPENTER, City Clerk.

No. 66.

AN ORDINANCE TO REGULATE THE USE OF BICYCLES AND OTHER VEHICLES ON THE PUBLIC STREETS WITHIN THE LIMITS OF THE CITY OF YPSILANTI.

The Common Council of the City of Ypsilanti ordain:

Section 1. No bicycle or other vehicle shall be driven at a rate of speed to exceed eight miles per hour upon any street within the limits of the city of Ypsilanti.

Sec. 2. No person or persons shall ride any bicycle or other vehicle on the sidewalk within the limits of the city of Ypsilanti.

Sec. 3. All vehicles turning a corner towards the right shall keep close to the curb. All vehicles turning a corner to the

left shall leave room for another to pass between them and the curb.

Sec. 4. All bicycles and other vehicles shall slack up at all cross walks when there are pedestrians passing upon them.

Sec. 5. All bicycles and other vehicles shall turn to the right on meeting other vehicles.

Sec. 6. Not more than three bicycles nor more than two carriages shall be driven abreast on any street within the limits of the city of Ypsilanti.

Sec. 7. All bicycles shall be provided with bells and the same shall be rung upon the approach of street crossings when there is danger of bicycles colliding with pedestrians; pedestrians at all times to be given the preference to use of cross-walks.

Sec. 8. Any person violating any of the provisions of this ordinance on conviction thereof shall be punished by a fine of not to exceed ten dollars together with the costs of prosecution or imprisonment in the county jail not to exceed twenty days, or both fine and imprisonment in the discretion of the court.

Sec. 9. All ordinances or parts of ordinances in any manner contravening any of the provisions of this ordinance are hereby repealed.

Sec. 10. This ordinance shall take effect from and after the 27th day of August, A. D. 1897. Made and passed by the common council this 10th day of August, 1897.

Approved August 11, 1897.

Attest:

N. B. HARDING, Mayor.

P. W. CARPENTER, City Clerk.

No. 67.**AN ORDINANCE RELATIVE TO PARKS WITHIN THE LIMITS OF THE CITY OF YPSILANTI.**

The Common Council of the City of Ypsilanti ordain :

Section 1. No person shall destroy, cut, mar, injure or deface any fence, seat, stool or bench or other apparatus or thing whatsoever placed in any park in the city of Ypsilanti.

Sec. 2. No person shall destroy, cut or injure or in any manner deface or trample upon or over any flowers or flower beds, or shade trees, or shrubbery located or being in any park nor shall they hitch horses to any of the trees therein.

Sec. 3. No person shall lounge and roll upon and mutilate, injure or destroy the grass, flowers or shrubbery in any park.

Sec. 4. No person or persons shall play at the game of cards or any other game of chance in any park.

Sec. 5. No person or persons shall play ball on any park except by permission of the common council, and then only on such part or space in said park as the common council shall direct and in no other places.

Sec. 6. No person or persons shall in any manner touch or directly or indirectly meddle with any fountain or fixtures or appurtenances belonging to same, or with any pipes or appurtenances to turn water off or on said furniture in any park in the city of Ypsilanti, unless such person be duly authorized by the city.

Sec. 7. No person shall use any noisy, boisterous, profane, vulgar or indecent language or commit any nuisance in any park.

Sec. 8. Any person violating any of the provisions of this ordinance shall be punished by a fine of not to exceed fifty dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs may be imprisoned in the

county jail of Washtenaw county for a period of not to exceed ninety days, unless payment thereof be sooner made.

Sec. 9. This ordinance shall take effect from and after the fifth day of October, A. D. 1897.

Made and passed in common council this 20th day of September, 1897.

Approved September 21, 1897.

Attest:

N. B. HARDING, Mayor.

P. W. CARPENTER, City Clerk.

No. 68.

AN ORDINANCE RELATIVE TO EXTENDING THE TIME IN WHICH
STREET RAILWAYS MAY BE CONSTRUCTED IN YPSILANTI UNDER
ORDINANCE NO. 62, PASSED ON THE 17th DAY OF AUGUST, 1896,
AND APPROVED ON THE 18th DAY OF AUGUST, 1896.

The Common Council of the City of Ypsilanti ordain :

Section 1. That the time limit in which street railways may be constructed and put in operation on the streets of Ypsilanti under the terms of Ordinance No. 62, heretofore passed in this common council, to-wit: on the 17th day of August, A. D. 1896, and approved on the 18th day of August, A. D. 1896, be and the same is hereby extended to the 15th day of June, A. D. 1898.

Sec. 2. In consideration of said extension the Ann Arbor and Ypsilanti Electric Railway Company, the present owners by assignment of the aforesaid ordinance and the rights and

privileges granted thereby, shall strengthen, maintain and widen, where necessary, as directed by the common council, at said electric railway company's expense, whatsoever bridge or viaduct shall be occupied by its tracks under the terms of the grant contained in Ordinance 62 as extended, and in the event of any bridge traversed by the tracks of the said railway becoming unfit for public travel and requiring renewal, the cost of such renewal shall be borne equally by the city of Ypsilanti and said Ann Arbor and Ypsilanti Electric Railway Company, its successors and assigns.

Sec. 3. In further consideration of said extension the said Ann Arbor and Ypsilanti Electric Railway Company, its successors and assigns, shall immediately upon the completion of its lines between the city of Ann Arbor and the city of Detroit, operate a route for local service as follows: Beginning at the intersection of Cross street with the right of way of the Michigan Central Railroad through Cross street and through Washington street to Harriet street, which said route shall be operated by being traversed by a car each way at least once each quarter hour between the hours of 7 o'clock in the morning and 9 o'clock in the evening.

Sec. 4. This ordinance shall take effect upon its acceptance by the Ann Arbor and Ypsilanti Electric Railway Company, which acceptance shall be filed in writing with the city clerk of the city of Ypsilanti within three days of the date of its passage and approval.

Made and passed in common council of the city of Ypsilanti this 7th day of February, A. D. 1898.

Approved February 8th, A. D. 1898.

MILO B. SCHAFFER,

Attest:

President of Council.

P. W. CARPENTER, City Clerk.

No. 69.**AN ORDINANCE RELATIVE TO CITY WATER SUPPLY.**

The Common Council of the City of Ypsilanti ordain :

ARTICLE I.*Extensions of the City Water Mains.*

Section 1. Extensions of water mains may be obtained by petition to the common council, signed by owners of property adjoining the proposed extension. Each signer must deposit with the clerk of the board of public works two dollars and fifty cents, as a guaranty that they will take water of the city.

Sec. 2. If an extension of the mains is not granted within forty-five days after a petition has been presented to the council, the clerk shall return to each signer his guaranty money.

Sec. 3. If an extension of the mains is granted by the council, the board of public works shall retain the guaranty money, and apply it on the water rates of each signer of the petition, according to Section 2 of Article V.

ARTICLE II.*Rules and Regulations for the Government of Plumbers.*

Section 1. Any person wishing to do plumbing in the city of Ypsilanti, must procure a license from the board of public works. Application for a license must be made in writing to the clerk of the board, giving the firm name and the name of each member thereof, and their place of business, consenting to be governed in all respect by the laws, regulations and penalties now existing or that may hereafter be enacted by the city pertaining to plumbing.

Sec. 2. Before a plumber's license will be granted the applicant must execute and deposit with the clerk of the board of public works a bond, with two or more sureties, to be ap-

proved by the board, in the sum of one thousand dollars, conditioned that they will indemnify and save the city harmless from all damages caused by negligence in protecting their work, or any inadequate work done by virtue of their license; also that they will replace pavement and other material removed by them to as good condition as it was before they removed it, and will maintain the same to the satisfaction of the board of public works for three months thereafter.

Sec. 3. Plumbers' licenses must be granted by resolution of the board of public works and signed by the president and clerk.

Sec. 4. The fee for a plumber's license will be ten dollars for the first year, and the same may be renewed for five dollars each year thereafter. The fee must be collected by the clerk before delivering the license.

Sec. 5. Plumbers' licenses will only be granted to residents of the city of good character and skilled in their occupation, or to parties who will employ practical plumbers.

Sec. 6. If plumbers retire from business or move from the city, they will forfeit their licenses.

Sec. 7. To supply water to any premises a plumber must get a permit from the clerk of the board of public works for each tap required.

Sec. 8. A plumber must get a permit from the clerk of the board of public works, to make any charge in the number, kind, or size, of fixtures on any premises; also if water is to be used for other purposes than named in former permits.

Sec. 9. All plumbing must be done in the manner required by the board of public works, subject to their inspection and approval. All pipes and fixtures used will likewise be subject to the approval of the board. No pipe laid under ground shall be covered until it has been tested and approved by the board.

Sec. 10. All service pipes must be laid five feet below the surface of the ground and where they enter a building there

must be a stop and waste cock to shut the water off in case of accident or frost.

Sec. 11. All pipes and fittings used in connection with the city water works must be of lead or galvanized iron. If lead it must be the grade known as extra strong and connected either with brass or wiped joints.

Sec. 12. Work which in the estimation of the board is poor and defective will be sufficient cause for the suspension or forfeiture of a plumber's license.

Sec. 13. If plumbers find any pipes or attachments laid under ground and connected to the city water works out of repair or not the proper depth, it shall be their duty to repair and place them at the proper depth, and charge the expense thereof to the owner of the property upon whose premises such repairs are made.

Sec. 14. All tanks or cisterns connected with the city water works must be fitted with float valves. The discharge shall not exceed one-half inch in diameter.

Sec. 15. No permit will be issued for taps between December first and March first, except by approval of the board.

Sec. 16. Plumbers must make returns in writing to the clerk of the board within forty-eight hours after they have completed a job of plumbing, connected with the city water works, giving a description of the premises, the number and kind of fixtures or apparatus supplied, and the use they are intended for, together with the name of the occupant and owner of the premises. For misrepresentation or omission in these returns plumbers will be liable to suspension or forfeiture of their license.

Sec. 17. All excavations made by plumbers in streets, alleys or public places, must be protected by barricades and red lights kept burning during the night.

Sec. 18. Plumbers must not leave the city water turned on any premises after they have tested their work, without a per-

mit from the clerk of the board of public works, except where they themselves turned it off for the purpose of making repairs. Plumbers violating this section will be liable to the city for any loss it may sustain by the water being turned on to any premises without a permit from the clerk. A violation of this section will be sufficient cause for the forfeiture of a plumber's license.

Sec. 19. Meters must be placed secure from frost and convenient to read. The pipes must be joined at each side of the meter with square-faced unions. Ample working room must be left around meter. There must be a stop and waste cock in the service pipe near the meter to shut the water off in case of repairs.

Sec. 20. Plumbers must report to the clerk of the board any pipes or fixtures disconnected from the city water works by them.

Sec. 21. Plumbers wishing to use water from the city water works for backfilling ditches or trenches must pay for the same and get a permit from the clerk of the board of public works before the water is used.

Sec. 22. Plumbers must not permit their shut-off keys to be used by any person for turning the city water on or off at the curb except themselves and assistants. For a violation of this section, or Section 21, plumbers will be liable to a suspension or forfeiture of their license.

ARTICLE III.

Tapping the City Water Mains.

Section 1. Only persons designated by the board of public works will be permitted to tap the main pipes or insert ferrules. No tap shall be made until a permit has been issued for the same.

Sec. 2. Tapping the main shall be under the direction of the superintendent, or some person designated by the board of public works. The tapper must be given forty-eight hours' notice by the plumbers before a tap is wanted.

Sec. 3. Connections must be made with the mains. Taps must be in the body of the pipe, two feet from a joint and two feet apart.

Sec. 4. There must be used for each tap made in the main pipes of the city, a corporation cock screwed into the main, and a service cock with a cast iron box which shall be near the sidewalk, if in the street; if in an alley, it shall be one foot outside of the fence. No service cock must be placed in a street crossing or driveway.

Sec. 5. When water is supplied to more than one consumer through one tap, there must be a service cock for each consumer.

Sec. 6. The tapper must report in writing to the clerk of the board of public works within twenty-four hours after making each tap.

ARTICLE IV.

Meters.

Section 1. The city will furnish a meter for any consumer free of charge, the size required, up to and including one and one-quarter inch. Parties requiring larger meters than one and one-quarter inch must pay the difference of cost between one and one-quarter inch and the size required.

Sec. 2. Water consumers, at their own expense, must arrange their pipes so that all the water used on their premises will pass through the meter, and prepare a suitable place to set a meter.

Sec. 3. Meters must be set where they are easy of access to read and repair. They must be properly protected from frost and other damage.

Sec. 4. Water consumers will be responsible for any damage to a meter set on the premises by frost, theft, or damage in any way except the natural wear.

Sec. 5. Only persons in the employ of the board of public

works will be permitted to take out, repair or in any way meddle with a meter.

Sec. 6. By resolution of the board of public works they may at any time set a meter on the premises of parties using water from the city water works and charge for the measured water. If the party has paid for the water in advance at the regular fixed rates, there will be a proportionate allowance made for the unexpired time which will be applied as payment for the measured water as far as it will pay.

Sec. 7. The clerk of the board of public works shall send written notice to parties using water from the city water works upon whose premises the board has resolved to set a meter, notifying them to arrange their pipes and prepare a place to set a meter. If they neglect or refuse to comply with the terms of such notice for thirty days, the water will be turned off from their premises until such terms have been complied with and one dollar paid for turning the water on.

Sec. 8. Meters must not be removed from any premises except by order of the board of public works.

ARTICLE V.

Rules for the Government of Water Consumers.

Section 1. Applications for permits to take water from the city water works must be made in writing before any excavating has been done, upon blank forms furnished by the clerk of the board of public works, fully describing the premises to be supplied, and setting forth all purposes for which the water is to be used, the size and kind of service pipe to be used, and naming the plumber to do the plumbing. Applications must be signed by owners of the property or their authorized agent.

Sec. 2. The clerk of the board of public works, upon receipt of an application to take water from the city water works, properly made and signed by the owner or agent of the premises to be supplied, and two dollars and fifty cents to be applied on the first payment for water supplied to the premises, as far as it will pay, will issue a permit for the use of water on such

premises. The city will tap the main and lay a service pipe to the outside of the curb between the street and sidewalk, furnish corporation and service cocks without expense to the applicant, except in case of temporary use of water, when such expense must be paid by the applicant.

Sec. 3. Parties using water from the city water works do so at their own risk, as the city will not in any case be liable or responsible for damages occasioned or growing out of a stoppage of the water, or an insufficient supply of the same, or for accidents or damages of any kind caused by or growing out of the use or failure of such water. Nor shall any payment be refunded, or abatement made for non-usage, or absence, or other cause. The city reserves the right to shut the water off at any time for repairs or alterations.

Sec. 4. Parties using water from the city water works to supply steam boilers, and not supplied with a tank, are hereby cautioned against collapse, that may be caused by the whole or partial stoppage of the water, as the city will not be liable for any damage caused by such collapse.

Sec. 5. Tanks connected with the city water works must be fitted with float valves, to stop waste of water by overflow.

Sec. 6. Waste of water through neglect of servants or agents, fixtures being out of order, or allowing water to be taken from the premises by persons having no right to its use, will be sufficient cause for turning the water off from such premises and forfeiture of amount paid in advance or the withholding of the water for such time as the board may decide.

Sec. 7. Parties using water from the city water works wishing to make any additions or alterations to the pipes or fixtures on any premises, must first get a permit to do so from the clerk of the board of public works. Only licensed plumbers will be permitted to make such changes.

Sec. 8. Parties using water from the city water works must keep their pipes and fixtures in good repair and protected from frost at their own expense.

Sec. 9. No reduction will be made for fixtures not in use unless they have been disconnected from the service pipes by a licensed plumber, and so reported to the clerk of the board of public works.

Sec. 10. Water must not be permitted to flow through any pipes or fixtures connected with the city water works when not in actual use. A continuous flow of water to guard against frost, or for any other purpose, will not be permitted unless a meter is used.

Sec. 11. If hose, pipes or fixtures connected with the city water works are found leaking or out of order, hose converted into a jet or in use at unauthorized hours, the water will be turned off without previous notice and will not be turned on until the proper repairs have been made.

Sec. 12. No rebate will be made from rates for partial use of water from wells or cisterns.

Sec. 13. Water rates once paid will not be refunded under any circumstances, except where the consumer vacates the premises and moves beyond the limits of the city mains, and notifies the clerk of the board of public works to turn the water off, in which event a rebate will be allowed for the unexpired time less one dollar.

Sec. 14. During a fire all fountains, motors, lawn and street sprinkling and other uses of water not absolutely necessary are positively prohibited.

Sec. 15. The use of hose larger than three-fourths inch, hose converted into a jet, hose without a nozzle, or nozzleless larger than one-fourth inch in diameter is prohibited, except where a meter is used, or by special permit granted by the board of public works.

Sec. 16. Parties using city water for street sprinkling must confine themselves to the exact frontage they pay for and one half of the street in front thereof.

Sec. 17. Parties paying the city for water to be used for gardens, fountains, sprinkling streets, lawns or yards, do so

with the understanding that the board of public works may restrict its use for such purposes by changing or shortening the time of use; or by stopping its use entirely for such purposes if in their judgment such restriction is necessary to protect the ordinary consumption and maintain the fire protection of the city. In no case will any money be refunded on account of such restrictions or stoppage of use.

Sec. 18. If any parties using water from the city water works for gardens, fountains, sprinkling streets, lawns or yards, upon receiving notice from the board of public works restricting or stopping the use of water for such purposes, refuse to comply with such restriction or stoppage of use the water will be turned off from their premises, and will not be turned on again until they have satisfied the board that they will comply with such restrictions or stoppage of use.

Sec. 19. When two or more parties using water from the city water works, are supplied through one service cock, some one of the party must become responsible for all the water rates assessed against such service cock. No allowance will be made for partial vacancy. The board of public works reserves the right to turn the water off, if any of the rates assessed against such service cock are not paid, and the city will not refund any part of the money collected for water rates through such service cock.

Sec. 20. Members of the board of public works and their assistants shall have free access at all reasonable hours, to all parts of premises where city water is used, to examine the pipes and fixtures.

Sec. 21. Parties using water from the city water works for building purposes must lay their pipes to the inside of the lot line, and secure them against public use.

Sec. 22. Builders or contractors wishing to use water from the city water works will be required to make an estimate of the amount of material to be used and pay for the water in advance.

Sec. 23. Parties who owe the city for water rates will not

be permitted to use water through any service cock until the amount due has been paid.

Sec. 24. If proprietors of lumber yards, manufactories, stores, hotels, halls, or public buildings, who use water from the city water works, wish to lay pipes with hydrants or hose connections to be used only in case of fire, they may have their pipes connected with the city mains, by making application to the board of public works, and paying the whole expense of making such connection, water to be used for fire purposes only.

Sec. 25. Pipes placed in buildings for fire purposes must be supplied with fire hose, kept constantly attached. Openings in such pipes without attachments as aforesaid, or the use of hose for any other purpose than the extinguishing of fire, is forbidden, and will be subject to assessment for water rates.

Sec. 26. The board of public works may refuse to supply water from the city water works to any premises where the plumbing has not been done by plumbers licensed by them.

Sec. 27. Parties wishing to use water from the city water works for backfilling ditches or trenches must pay for the same, and get a permit from the clerk of the board of public works before the water is issued.

Sec. 28. Parties using water from the city water works, permitting water to be taken from their pipes or fixtures for backfilling ditches or trenches, by any person, without a permit from the clerk of the board of public works, except the superintendent of the water works, or his assistants, will be liable to the city for the water used for such purposes. If upon receipt of a bill for the amount, they refuse to pay, the water will be turned off from their premises.

Sec. 29. If parties using water from the city water works fail to comply with any of the foregoing rules, or owe for water rates past due, the water will be turned off from their premises, and it will be the duty of the clerk of the board of public works in all cases where the water has been turned off from any premises for violation of rules, or water rates past due, to

collect one dollar for turning the water on, and any amount that may be due for water, before it will be turned on again.

ARTICLE VI.

Miscellaneous Rules.

Section 1. The free use of water for buildings occupied by the city for public use does not include the right to allow its free use for private purposes. For violation of this section, the water will be turned off, subject to all the penalties to similar abuse by private parties.

Sec. 2. Wrenches used for opening and closing public hydrants and gate valves must be furnished by the city. Such wrenches must be stamped C.W.W. and numbered. Wrenches will be delivered by the clerk of the board of public works to the chief engineer of the fire department, taking a receipt for the same. The clerk shall keep a record of the wrenches delivered to the fire department.

Sec. 3. No person but the superintendent of the water works and his assistants under instructions of the board of public works will be permitted to open any fire hydrant, except for fire purposes by the department, without a special permit from the board of public works.

Sec. 4. Anyone obstructing access to a public fire hydrant shall, in addition to the fine and penalties hereinafter provided, forfeit to the City of Ypsilanti the sum of five dollars for each and every four hours that such obstruction shall remain after the party has received notice to remove such obstructions.

Sec. 5. Bills must be promptly paid when due. All officers of the city water works are positively prohibited from allowing credit to any one.

Sec. 6. The board of public works reserves the right to test the quantity of water supplied to any premises by the application of a meter and charge or adjust the assessments on such premises to the rate for measured water.

Sec. 7. Lawn sprinkling shall not be construed to mean the

use of water for gardens. Parties wishing to use water for wetting gardens must pay the garden rate in addition to the lawn sprinkler rates.

Sec. 8. Parties taking water for lawn, yard, garden, fountain, street sprinkling, or other summer use, must pay for the whole season.

Sec. 9. Parties using water from the city water works and paying the domestic or fixture rates, will not be permitted to attach hose to their pipes or fixtures, and use water for any purpose, except the extinguishment of fire, unless they pay the sprinkling rates, or obtain a permit from the clerk of the board of public works, and pay for the water to be used. For a violation of this section the water will be turned off from the premises and will not be turned on again during the season, unless the sprinkling rates of one dollar additional is paid.

Sec. 10. The superintendent of the water works or his assistants, before taking water from any premises for backfilling ditches, trenches, or any other purposes, except in case of fire, must obtain permission from the occupant before any water is taken.

Sec. 11. Parties violating any of the provisions of this section shall be fined as in violation of other sections of this ordinance, and the violation of each item stated in this section shall be a separate offense.

Plumbers loaning shut-off keys to others.

Plumbers leaving water turned on premises without authority from the board of public works.

Turning water on or off at any service cock without authority from the board of public works.

Loaning shut-off keys to others to turn water on or off at any service cock.

Opening fire hydrants without authority.

Taking off or breaking service boxes or covers.

Covering service boxes with earth or other material or obstructing free access to the same.

Obstructing free access to fire hydrants.

Removing or breaking gate, valve, box covers.

Opening or closing gate or other valves without authority from the board of public works.

Having in their possession a key for opening and closing gate valves in the street, without authority from the board of public works.

Using city water for backfilling ditches or trenches without a permit from the board of public works.

Using city water without permission from the board of public works.

Permitting others to take water from their premises without permission from the board of public works.

Using city water for sprinkling during a fire.

ARTICLE VII.

Assessment and Collection of Water Rates.

Section 1. All assessments for water used from the city water works will become due semi-annually in advance, on the first day of May and November in each year, except where the water is measured by meters or special assessments for a shorter period than one year. Amounts accruing for the measured water and special assessments will become due and payable at such time as the board of public works shall designate. If any parties using water from the city water works fail to pay their assessments before the first day of June and December in each year, it will be the duty of the clerk of the board of public works to send them a written request for the amount with five per cent added. If they fail to pay the amount within ten days thereafter the water will be turned off from their premises.

Sec. 2. The rates for water used from the city water works for general domestic use, through one faucet in the kitchen of dwelling or residence, is fixed at five dollars per year. Extra charges will be made for bath tubs, water closets, urinals, wash basins and extra faucets.

Sec. 3. Lawn and street sprinkling, where a meter is not used, shall only be done through hose held in the hand. Sprinkling may be done three hours per day, during the hours

between 5:30 and 8:00 a. m. and 5:00 and 7:30 p. m. Attaching hose to any object or laying hose on the ground and allowing water to flow through it unless the nozzle is held in the hand, will not be permitted. Sprinkling is prohibited after 7:30 p. m., with or without a meter. Lawn and street sprinkling rates are for the season between May first and November first, for each premises with a frontage not exceeding sixty-six feet in width and not exceeding one hundred feet in depth, including one-half the width of the street in front thereof, with hose not larger than three-fourths inch and through one orifice or nozzle not larger than one-fourth inch in diameter, \$4.00. For each additional foot frontage over sixty-six, five cents. The use of lawn sprinklers will be allowed upon the payment of one dollar for each sprinkler in addition to the regular lawn rates.

Sec. 4. Meter rates. The rates for measured water will be for the first eight thousand gallons or less, each term between May first and November first, and between November first and May first, each year, \$2.50. For all water used over eight thousand gallons each term, at the rate of 10 cents per 1,000 gallons.

Sec. 5. The board of public works may collect pay for the water measured by meter each month, or the consumer may be required to make an estimated average payment in advance, to prevent an accumulated arrearage. Settlement to be made at the end of the term for the water used.

ARTICLE VIII.

Water Rates.

Section 1. As established by the board of public works and confirmed by the council.

Yearly charges otherwise specified. Season charges cover six months. No permit issued for less than \$5.00.

Ale Cellars.....	\$8.00 to \$10.00
Backfilling trenches or ditches 2 feet or less in width, each foot deep.....	0%

Backfilling trenches or ditches 3 feet or more than 2 feet, each foot deep.....	0 $\frac{3}{8}$
Backfilling trenches or ditches 4 feet or more than 3 feet, each foot deep.....	0 $\frac{1}{2}$
Backfilling trenches over 4 feet, proportionate rates.	
Barber shop, first chair.....	3 00
each additional chair.....	2 00
Bath tub, private.....	2 00
public in barber shop, first tub.....	5 00
public in barber shop, each additional tub..	3 00
Bakeries average daily use for each bbl. flour.....	3 00
But no bakery to be charged less than.....	10 00
Banks, including wash basin.....	5 00
Blacksmith shops, first fire.....	3 00
each additional fire.....	2 00
Butcher shop, first faucet.....	7 00
each additional faucet.....	3 00
Bowling alleys.....	5 00 to 10 00
Builders' rates per perch of stone laid.....	.02
per 1,000 brick laid.....	.05
per 1,000 brick wetting.....	.02
per 100 yards plastering, one coat.....	15
per 100 yards plastering, two or three coats.....	20
per 100 cubic feet of grouting.....	25
per 100 square feet of concrete walk or cellar bottom05
Boarding houses family rate of.....	5 00
Each person boarding and rooming same building ad- ditional.....	.50
Each day boarder or roomer additional.....	.25
Billiard halls, each table	1 00
Confectioners (manufacturers)	7 00 to 15 00
Churches, including drinking faucets.....	7 00
all other fixtures extra.	
Cigar manufacturers, ten hands or under	6 00
each additional hand30
Cows each.....	1 00
Drug stores, first faucet.....	7 00
each additional faucet.....	.30
Dwelling house for family, one faucet in kitchen.....	5 00
two or more families in one house, one rate for each family.	
Foundries, for moulding rooms.....	7 00 to 15 00
(basis of charge average number of hands employed).	

Grocery stores, first faucet	7 00
each additional faucet.....	2 00
Hotel kitchen and laundry faucets each.....	4 00
billiard tables, each.....	1 00
sprinkling streets and walks per foot.....	15
Ice Cream saloons, season charge.....	3 00 to 5 00
Laundries, first tub.....	7 00
each additional tub.....	5 00
Manufacturers, drinking and washing only, ten hands or under...	5 00
Manufacturers, drinking and washing each additional hand	30
Offices occupied by four persons or under, including one wash bowl.....	5 00
Offices, each additional person.....	30
occupied by four persons or under, obtaining water from hall	3 00
each additional person.....	30
Printing offices, employing 7 hands or less.....	5 00
each additional hand.....	30
Photograph galleries.....	6 00
wash basin.....	3 00
Public bath house, each tub.....	10 00
Pasturage per cow, season May 1st to October 31st...	1 00
Restaurants, domestic rate, and for each table seating four persons extra	1 00
Restaurants, having bar extra.....	5 00
Stables private one horse including buggy washing ..	3 00
each additional horse	2 00
livery and board each horse.....	1 00
hotel, each stall.....	1 00
each vehicle used and washed with hose, ex- cept private.....	1 00
street railways, each stall.....	1 00
street railways, each car used.....	4 00
All charges except private based on average oc- cupancy.	
Saloon, $\frac{1}{2}$ -inch faucet.....	7 00
each additional faucet,.....	3 00
billiard tables each.....	1 00
sprinkling front per foot.....	15
Stores, dry goods and all other classes except drug, groceries and butchers, six hands or under.....	6 00
Stores, each additional hand.....	30
Soda water fountains	5 00 to 7 00

Shops, 10 hands or under drinking and washing only. each additional hand.....	5 00 30
Sprinkling lawn $\frac{1}{4}$ -inch jet 66 feet or less front by 100 feet or less in depth, including one-half the street in front three hours per day.....	4 00
Sprinkling, each additional foot front..... carts, 1 horse use of water not to exceed 3,000 gallons per day, rate per month.....	05 15 00
Proportionate increase of rates for further consumption.	
Steam boilers for heating buildings, each horse power water to test per 1,000 gallons	75 30
Steam engines, stationary, each horse power up to ten hours per day..... engines, over ten horse power, each horse power	1 50 1 00
Schools, private, each scholar	50
Telephones and telegraph battery rooms.....	5 00 to 25 00
Urinals, private automatic closing..... hotel, saloon, restaurant, boarding, eating house or public hall, automatic closing..	2 00 3 00
Wash basin, private..... hotel saloon, restaurant, boarding house, eating house or public hall.....	2 00 3 00
Water closets, private, pan or self-closing,..... double acting valve	2 50 4 00
single acting valve or flowing..... hotel, saloon, restaurant, boarding house or public hall, pan or self- closing.....	6 00 3 00
hotel, saloon, restaurant, boarding house or public hall, double acting valve	5 00
hotel, saloon, restaurant, boarding house or public hall, single acting valve or flowing.....	7 00
Warehouses same as stores. sprinkling per foot front.....	15

Meter Rates.

Aquariums.....	
Bottling Works.....	
Breweries.....	
Cemeteries	
Dairies.....	
Dyers and Scourers.....	
Engine and Boiler Makers.....	

Elevators.....
Fountains
Greenhouses and Graperies.....
Gardens.....
Gas Engines
Gas Works.....
Halls, Public
Hotels
Livery Stables.....
Malt Houses
Motors
Paper Mills.....
Public Buildings.....
Pop Manufacturers
Railroad Depots.....
Railroad Engines.....
Saloons
Soap Factories
Sprinkling Carts.....
Schools
Tanneries.....
Troughs.....
Theaters.....
Urinals private, flowing.....
hotel, saloon, restaurant, boarding house, eat- ing house or public hall, flowing.....
public trough.....
Water Closets, continuous flow.....

All rates not herein enumerated shall be estimated by the board and charged proportionate to the water consumed.

Sec. 2. All ordinances and parts of ordinances in any manner conflicting with any of the provisions of this ordinance are hereby repealed.

Sec. 3. Any person violating or failing to comply with any of the provisions of this ordinance shall, in addition to all other fines, penalties and forfeitures by this ordinance provided, be punished by a fine not to exceed fifty dollars, together with the costs of prosecution, and on failing to pay forthwith such fine and costs may be imprisoned in the county jail of Washtenaw county for any term not exceeding ninety days, unless payment thereof be sooner made.

Sec. 4. This ordinance shall take effect from and after the 22d day of April, A. D. 1898.

Made and passed in common council this 11th day of April, 1898.

Approved April 15, 1898.

N. B. HARDING, Mayor.

P. W. CARPENTER, City Clerk.

No. 70.

AN ORDINANCE RELATIVE TO THE LICENSING OF DOGS AND REGULATING THE RUNNING AT LARGE AND SLAYING OF DOGS.

The Common Council of the City of Ypsilanti ordain :

Section 1. It shall be unlawful for any person to own, possess or harbor, or have the care or keeping of any dog, male or female, over the age of three months, within the city of Ypsilanti, without first obtaining a license therefor from the said city of Ypsilanti. The fee for which (said) license shall be: For a male dog and a spayed female dog, one dollar; for a female dog, two dollars. No license shall be granted for a period exceeding one year, and all licenses shall expire on the first day of May succeeding their issue.

Sec. 2. It shall be the duty of every person owning or having the possession or care of any dog, male or female, to cause such dog to be registered in the office of the city clerk, in a register kept by said clerk for that purpose, and to pay the license fee provided in Section 1 of this ordinance, into the city treasury; and also pay a fee of twenty-five cents to the clerk of said city for the issuing and recording such license;

also to obtain the city clerk's receipt for said license so paid and the metallic plate or check hereinafter described, under the penalties herein provided.

Section 3. It shall be the duty of the clerk of said city to provide such number of metallic plates or checks as may be necessary, of such size and shape as he may deem expedient (the shape of such check or plate to be changed each year), having stamped thereon numbers indicating the year for which the tax is paid, the number of the license and the letters Y. D. T., and to deliver one of these metallic plates to each person so paying for a license upon any such dog.

Sec. 4. It shall be the duty of such owner, possessor, keeper or harborer of any such registered dog, to place or cause to be placed around the neck of any such dog, a substantial collar, and on such collar securely to attach or cause to be attached the metallic plate or check so furnished by the clerk of said city; and if any person shall place or cause to be placed upon the collar or around the neck of any such dog, any counterfeit of the metallic plate or check so furnished by the city clerk, or any such metallic plate without the license for the keeping of such dog, having first been paid, he or she will be liable to the penalties herein provided.

Sec. 5. It shall be the duty of the pound master of said city to take up and impound any dog, male or female, found running at large, contrary to the provisions of this ordinance, in the city of Ypsilanti, not having a collar around its neck with the metallic plate or check aforesaid attached thereto; and, if said dog shall not be redeemed as hereinafter provided, within four days after such dog shall have been impounded, it shall be the duty of the poundmaster to slay or cause to be slain the same; or if the animal is worthy and valuable the same shall be sold by the poundmaster, at the pound, by public outcry, to the highest bidder, at the hour of noon next succeeding the said four days. All moneys over and above the poundmaster's fees, arising from the said sales, shall be paid to the city treasurer by the said poundmaster within thirty days from said sales. But it is hereby provided, that any such dog so im-

pounded may be redeemed or taken from such pound, upon exhibiting to said poundmaster a receipt of the city clerk, showing that the license in this ordinance imposed has been paid for such dog, and (upon) the payment to said poundmaster of a pound fee of one dollar and the further sum of twenty-five cents per day for each and every day such dog shall have been impounded.

Sec. 6. It shall be lawful for any person, and it shall be the duty of the marshal and each patrolman of the city of Ypsilanti, to seize, take up and deliver to the poundmaster any dog, male or female, found running at large in said city in violation of any of the provisions of this ordinance.

Sec. 7. The poundmaster of said city is hereby authorized to collect the fees provided for in Section 5 of this ordinance, for all dogs impounded, and he shall retain such fees as compensation for his services as poundkeeper under this ordinance: *Provided*, That when any dog which shall have been delivered to said poundmaster by some person other than the marshal or a patrolman in said city of Ypsilanti, shall have been redeemed in accordance with the provisions of Section 5 of this ordinance one-half of such redemption fee shall by said poundmaster be paid to the person who delivered said dog to the poundmaster as provided in Section 6.

Section 8. It shall not be lawful for any owner, possessor or person having in charge or care, a fierce or dangerous dog, to permit or allow the same to go at large at any time in said city, to the danger or annoyance of any of its inhabitants. Whenever any person shall have been convicted of violating the provisions of this section of this ordinance, and shall permit or allow such dog to run at large after such conviction, it shall be the duty of the police authorities of said city to kill such dog.

Sec. 9. It shall be unlawful for the owner, possessor, keeper or harborer of any licensed female dog, knowingly to permit her to run at large while in heat, and it shall be the duty of the police of said city to seize, take up and deliver to the

pound-keeper any such dog running at large in said city at such time. It shall be the duty of the poundmaster to serve upon the owner or keeper of such dog a notice in writing of the impounding of such dog, at once, and any such dog so impounded may be redeemed or taken from such pound by the owner or keeper of such dog within forty-eight hours after service upon such owner or keeper of said written notice, upon the payment to said poundmaster of the fees as provided in Section 5. In case the owner or keeper of any such dog so impounded shall not have redeemed said dog as herein provided, it shall be the duty of the poundmaster to kill the same, or in case said dog is worthy and valuable the same shall be sold by the poundmaster, at the pound, by public outcry, to the highest bidder, at the hour of noon next succeeding the expiration of said forty-eight hours.

Sec. 10. It shall be unlawful for any person to own, keep or harbor any dog which, by loud and frequent barking, howling or yelping, shall cause serious annoyance or disturbance to any of the citizens of said city.

Sec. 11. Whenever any danger shall be justly feared as likely to result from hydrophobia, the mayor shall publish his proclamation requiring all persons owning or having in charge or keeping any dog or dogs, to muzzle them for a prescribed time, and any person who shall omit to muzzle any dog owned or harbored or kept in charge by him, or shall allow such dog to go unmuzzled, shall be liable upon conviction before the proper tribunal, to the punishment provided in Section 13 of this ordinance. During the time prescribed by the Mayor's proclamation, any dog found running at large without a muzzle in said city shall be forthwith slain.

Sec. 12. Whenever any person shall have been convicted of owning, possessing, keeping or harboring any dog that has bitten any person within said city while peaceably walking or riding without the enclosure of such owner, keeper or harborer, the justice of the peace before whom such person shall have been convicted, shall issue an order in writing directing such owner, keeper or harborer of said dog to kill the same within

six hours after service on him of such order. The owner, possessor, keeper or person having in charge any such dog who shall refuse or neglect to kill it within six hours after having received such order, shall on conviction before the proper tribunal, be liable to the punishment provided in Section 13 of this ordinance, and it shall be the duty of any police officer to destroy such dog wherever he shall be found at large in said city six hours after service of said order.

Sec. 13. Any person violating any of the provisions of this ordinance, shall, upon conviction thereof, be punished by a fine not exceeding fifty dollars and cost of prosecution, and in the imposition of such fine and cost, the court may impose a further sentence that the offender be and remain imprisoned in the county jail of Washtenaw county, until such fine and costs have been paid: *Provided*, that such imprisonment shall not exceed thirty days.

Sec. 14. All ordinances and parts of ordinances in any manner conflicting with any of the parts of this ordinance are hereby repealed.

Sec. 15. This ordinance shall take effect and be in force on and after the tenth day of May, A. D. 1898.

Made and passed in common council this 18th day of April, 1898.

Approved April 20th, 1898.

Attest: N. B. HARDING, Mayor.
P. W. CARPENTER, City Clerk.

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